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MUNICIPAL CODE

OF THE

SOUTH PARK COMMISSIONERS

WITH

GENERAL LAWS

AND

SPECIAL ORDINANCES

AS REVISED AND CODIFIED

BY

JAMES R. MANN.

PRINTED AND PUBLISHED BY AUTHORITY OF THE SOUTH PARK COMMISSIONERS.

APPROVED MARCH, 1897.

CHICAGO:
E. B. MYERS & COMPANY,
LAW PUBLISHERS,
1897

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ORDINANCE

CONCERNING THE PRINTING AND PUBLISHING OF THE MUNICIPAL CODE OF THE SOUTH PARK COMMISSIONERS.

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. That the Municipal Code of the South Park Commissioners as revised and codified in chapters and sections by James R. Mann, South Park Attorney, together with the general laws affecting said South Park Commissioners, and Charters and Special Ordinances granting certain privileges, be, and the same are hereby ordered printed and published by authority of the South Park Commissioners in book form, and the said Municipal Code of the South Park Commissioners is also hereby ordered printed and published by the authority of the South Park Commissioners in pamphlet form.

State of Illinois,
County of Cook. } ss.
South Park Commissioners.

I, E. G. Shumway, Secretary of the South Park Commissioners in the County and State aforesaid, and keeper of all papers, entries, records and ordinances of said South Park Commissioners, do hereby certify that the above and foregoing is a true copy of an ordinance entitled "An ordinance concerning the printing and publishing of the Municipal Code of the South Park Commissioners," passed by the South Park Commissioners at a regular meeting held on the 10th day of March, A. D. 1897.

I further certify that I am the keeper of the original ordinance of which the foregoing is a certified copy, and that the same is on file in my office.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of the South Park Commissioners this.....day of .....A. D. 1897.

.....
Secretary of the South Park Commissioners.

SOUTH PARK COMMISSIONERS

...FROM...

Organization of the Board to 1897.

ORIGINAL COMMISSIONERS APPOINTED APRIL 16, 1869.

CHAUNCEY T. BOWEN. PAUL CORNELL.
GEORGE W. GAGE. JOHN M. WILSON.
L. B. SIDWAY.

TERM OF SERVICE.

CHAUNCEY T. BOWEN, April 16, 1869, to February, 1871, resigned; March, 1873, to June, 1877, resigned.

POTTER PALMER to succeed CHAUNCEY T. BOWEN, resigned, February, 1871, to March, 1875.

GEORGE W. GAGE, April 16, 1869, to September 25, 1875, deceased.

PAUL CORNELL, April 16, 1869, to March, 1882.

L. B. SIDWAY, April 16, 1869, to March, 1879.

JAMES MORGAN, March, 1875, to March, 1880.

CORNELIUS PRICE, to succeed GEORGE W. GAGE, deceased, December 4, 1875, to March, 1881.

JOHN B. SHERMAN, to succeed CHAUNCEY T. BOWEN, resigned, June, 1877, to March, 1898.

JOHN R. WALSH, March, 1879, to March, 1889.

MARTIN J. RUSSELL, March, 1880, to March, 1894, resigned.

BERNARD CALLAGHAN, March, 1881, to March, 1886.

LOUIS WAHL, March, 1882, to March, 1889, resigned.

WILLIAM BEST, March, 1886, to March, 1901.

JAMES W. ELLSWORTH, to succeed LOUIS WAHL, resigned, March, 1889, to March, 1902.

JOSEPH DONNERSBERGER, March, 1889, to March, 1899.

JEFFERSON HODGKINS, to succeed MARTIN J. RUSSELL, resigned, March, 1894, to March, 1900.

OFFICERS, 1896–7.

President,	JAMES W. ELLSWORTH
Auditor,	JEFFERSON HODGKINS
Secretary,	EDWARD G. SHUMWAY
Treasurer,	JOHN R. WALSH
Superintendent,	J. F. FOSTER
Attorney,	JAMES R. MANN

OFFICERS, 1897–8.

President,	JAMES W. ELLSWORTH
Auditor,	JOSEPH DONNERSBERGER
Secretary,	EDWARD G. SHUMWAY
Treasurer,	JOHN R. WALSH
Superintendent,	J. F. FOSTER
Attorney,	JAMES R. MANN

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MUNICIPAL CODE

OF THE

SOUTH PARK COMMISSIONERS.

CHAPTER I.

ACTIONS, ARRESTS, TRIALS AND PUNISHMENT.

1. Actions, how brought.
2 and 3. Statement.
4. Suit for fines, penalties, etc.
5. First process—different offenses.
6. Form of summons.
7. Complaint, warrant to issue.
8. Form of warrant.
9. Arrest without process.
10. Who may make arrests.
11. Detention of prisoners.
12 and 13. Special bail.
14. Judgment against surety.
15. Manner of trial.
16. Commitment.
17. Imprisonment till fine paid.
18. Power to remit fine.
19. Penalty.

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. **Actions, how brought.** Actions, suits and prosecutions, for the violation of any ordinance of the South Park Commissioners, shall be prosecuted in the name of the "South Park Commissioners," before any police magistrate or any justice of the peace of any of the towns of South Chicago, Hyde Park and Lake, in the County of Cook and State of Illinois.

Sec. 2. **Statement, cause of action.** Before any suit shall be brought in the name of the South Park Commissioners for the recovery of any fine, penalty or forfeiture, by summons only, the person prosecuting, or some one on his behalf, shall file a written statement, signed by him, substantially setting forth the cause of action.

Sec. 3. **Statement, defect in form.** The statement made may include several persons charged with the same violation of any ordinance. No suit shall be dismissed for any defect of form in the statement. All papers and processes may be amended in the discretion of the court before whom the action is pending.

Sec. 4. **Suit for fines, etc.** All fines, forfeitures, penalties and costs, imposed against any person by any ordinance, for the breach thereof, may be recovered by suit, and judgment may be rendered and collected by execution or other process, and all fines and money so collected shall be paid to the South Park Superintendent within ten days after collection.

Sec. 5. **First process, different offenses.** In all actions and suits for the violation of any ordinance, the first process shall be a summons in all cases where no warrant is issued, and where arrest upon view, without process, is not made. No prosecution, recovery or acquittal, for the violation of any ordinance, shall constitute a defense to any other prosecution of the same party for any other violation of such ordinance, although the different causes of action existed at the same time, and if united, would not have exceeded the jurisdiction of the court, justice or magistrate.

Sec. 6. **Summons, form of.** Summons may be in the following form, to-wit:

State of Illinois,
County of Cook,
City of Chicago,
South Park Commissioners. } ss.

The People of the State of Illinois, to any captain or sergeant of police, or policeman or special policeman of

the South Park Commissioners or the City of Chicago, or to any constable of said county, GREETING: You are hereby commanded to summon A. B. to appear before me at my office at.....on the..... day of ..... A. D., 18.., at .. o'clock ..m., to answer the complaint of the South Park Commissioners, for a failure to pay the said South Park Commissioners a certain demand not exceeding two hundred dollars; and hereof make due return as the law directs.

Given under my hand and seal this ..... day of ..... A. D., 18..

.....(Seal.)
Justice of the Peace.

Sec. 7. **Complaint, warrant to issue.** Whenever any person shall make complaint in writing, verified by affidavit, to any police magistrate or justice of the peace, as aforesaid, having his office in any of the towns aforesaid, and shall state in said complaint that any ordinance of the said South Park Commissioners has been violated, and that he, the complainant, has reasonable grounds to believe that the person charged in such complaint with such violation is guilty thereof, said magistrate or justice may issue, in the first instance, a warrant for the arrest of the person so charged.

Sec. 8. **Warrant, form of.** Warrants may be in the following form:

State of Illinois,
County of Cook,
City of Chicago,
South Park Commissioners. } ss.

The People of the State of Illinois, to any captain or sergeant of police, or policeman or special policeman

of the South Park Commissioners or the City of Chicago, or to any constable of said county, GREETING: Whereas, an affidavit has been made before the undersigned, a justice of the peace of said county, by..... ..... that ..... on or about the ..... day of ..... A. D., 18.., within the jurisdiction of said city, in violation of Section .., of an ordinance of the South Park Commissioners, passed on the ..... day of.....A. D., 18..,

You are, therefore, hereby commanded to arrest the said ..... and bring ..... forthwith before me at my office at....., then and there to answer to the said South Park Commissioners on the charge above specified, and abide such further order as may be made concerning such charge; and hereof make due service and return as the law directs.

Given under my hand and seal this ..... day of ..... A. D., 18..

.....(Seal.)
Justice of the Peace.

Sec. 9. **Arrest without process.** Whenever any person shall be arrested on view without process, and shall be taken before any court, the magistrate or justice shall note upon his docket the cause of such arrest, as stated by the officer making the arrest, and proceed to hear and determine the cause in the same manner as if the defendant had been arrested by warrant.

Sec. 10. **Arrest, who may make.** The captain or police sergeant, special and other police officers, having jurisdiction within the South Park district, are hereby severally authorized to arrest on view, with or without process, any person who may break the peace

or violate any ordinance of the South Park Commissioners, and to take such person before any police magistrate or justice of the peace whose office is located in any town within said South Park district, without unnecessary delay.

Sec. 11. **Detention of prisoners.** In case such arrest is in the night or on Sunday, the person arresting may detain the person arrested over night or over Sunday in any police station of the City of Chicago within said South Park district, or any safe place, until such person so arrested can be brought before said magistrate or justice of the peace for trial, without unnecessary delay.

Sec. 12. **Continuance, special bail.** If for any cause a continuance is granted a defendant under arrest, he may give special bail for his appearance before the court.

Sec. 13. **Personal property taken as bail.** In place of special bail, money or personal property and choses in action, of sufficient value to satisfy the probable judgment or fine and costs, may, in the discretion of the court, be taken; in which case, an endorsement, pledging the property taken for the appearance of the defendant at a certain time and place before a certain justice of the peace, shall be put upon the back of the said warrant, and signed by the person under arrest. And in case the person arrested shall have in his or her possession, a bicycle, the officer making the arrest, may, in his judgment, receive from such person, such bicycle, and a pledge in the following form, to-wit:

I, A. B., pledge the following described property, to-wit: ..... for my appearance before ....., a justice of the peace, on the .....

day of ....., A. D., 18.., at .. o'clock ..m., on said day at his office, hereby waiving any and all rights of exemption.

WITNESS my hand and seal, this ..... day of ..... A. D., 18..

(Signed.) A. B. (Seal.)

and upon receiving such property and pledge, the officer making the arrest may permit the person arrested to go free.

Sec. 14. **Judgment against surety; sale of personal property.** Upon the trial of any cause in which special bail shall have been given, if the defendant shall be found guilty, judgment shall be rendered against both principal and surety (in the special bail) for the amount of the fine assessed by the court or jury, and all costs that may have accrued. In case personal property or choses in action were given in lieu of special bail, and judgment is rendered against the defendant, execution shall issue, and said property be sold under it. Exemption rights shall be waived by making such pledge of said property or choses in action. When arrests are made at night, or on Sunday, the captain and sergeants of police may take special bail, in form provided by this chapter.

Sec. 15. **Manner of trial.** The manner of conducting trials, granting continuances and changes of venue, subpoenaing witnesses, summoning and impaneling juries, and taking appeals, shall be the same as in civil cases before justices of the peace.

Sec. 16. **Commitment.** Commitment of any person shall be by process under the hand of the court, which shall have made the order for such commitment.

Sec. 17. **Imprisonment for non-payment of fine.** In all cases where any person, convicted of a breach of any of the ordinances of the South Park Commissioners, shall fail, neglect or refuse forthwith to pay any fine or penalty and costs which may be adjudged against him, it shall be competent and lawful for the court or justice of the peace before whom such conviction is had, to order that such person so convicted as aforesaid, shall be committed to the jail of Cook County, to the bridewell or house of correction, or any police station of the City of Chicago or other place provided by the South Park Commissioners for the incarceration of offenders in such cases, there to remain until such fine, penalty and cost shall be fully paid or otherwise legally discharged; Provided, that no such imprisonment shall exceed six months for any one offense. In all cases where any person is so committed to the bridewell or house of correction of the City of Chicago, he or she shall be required to work at such labor as his or her strength will permit, not exceeding ten hours each working day, and for such work, the person so employed shall be allowed, exclusive of his or her board, fifty cents for each day's work, to be applied in payment and satisfaction of the fine and costs imposed upon such person.

Sec. 18. **Power to remit fine.** The President of the South Park Commissioners shall have the power to commute, release, remit, suspend or diminish any judgment or fine rendered or imposed for violation of any ordinance, but no other officer, judicial or ministerial, shall have power, except by direction of the President of the South Park Commissioners, to commute, release, remit, suspend or diminish any judgment or fine rendered or imposed for violation of any ordinance, nor to

give time for the payment of any such judgment or fine; but the officer rendering such judgment, shall, unless the same be paid immediately upon the rendition of the same, issue the proper process for the collection of such judgment or for the committal of the person against whom the same was rendered.

Sec. 19. **Penalty.** Every person convicted of a violation of any provision, clause or section of this ordinance or any ordinance of the South Park Commissioners, shall be fined not to exceed two hundred dollars for each offense.

CHAPTER II.

ANIMALS, BICYCLES AND OTHER VEHICLES.

20. Domestic animals at large.
21. Domestic animals — Continued.
22. Animals prohibited.
23. Leading animals.
24. Speed.
25. Grass and foot paths.
26. Obstructing the way—Soliciting passengers.
27. Funerals.
28. Teams and traffic wagons prohibited.
29. Hitching, etc.
30. Carriage lights.
31. No obstructing of crosswalks.
32. No animal to stand unless hitched.
33. Penalty.

Section 20. **Domestic animals, at large.** The running of horses, cattle, swine, sheep, goats, geese and other domestic animals, except such as are owned by the South Park Commissioners, is hereby prohibited within the parks, or on or along the boulevards, streets and driveways, and no owner of any such animal shall permit the same to run at large, contrary to the provisions of this section, under a penalty of not less than two dollars for each offense for every animal so permitted to run at large.

Sec. 21. **Animals, driving of.** No person shall bring, drive or lead any cattle, sheep, goats, swine or geese within the parks, or on or along the boulevards, streets or driveways.

Sec. 22. **Animals prohibited.** The bringing or use of any kind of animal into or within the parks or on or along the boulevards, streets or driveways, is hereby expressly prohibited, except horses and other beasts of burden.

Sec. 23. **Leading animals; drawing second vehicle; bells on sleigh.** No person shall lead any horse, mule or other animal on said boulevards, streets or driveways, nor draw a second carriage, buggy, or vehicle of any description with any team or other vehicle at one time; nor drive any horse before any sleigh or sled, unless there shall be a sufficient number of bells attached to the harness of such horse to warn persons of their approach.

Sec. 24. **Speed; not more than two abreast.** No animal, velocipede, tricycle, bicycle or other vehicle shall be ridden or driven in said park, or along said streets, boulevards or driveways, at a speed exceeding eight miles an hour, except that horses may be speeded on such parts of said boulevards as may be set apart by the Commissioners for said purpose, and then under such regulations as the Commissioners may prescribe; and no animals, velocipedes, tricycles, bicycles or other vehicles shall be ridden or driven more than two abreast. All animals, velocipedes, tricycles, bicycles or other vehicles, while in motion, shall keep to the right.

Sec. 25. **Vehicles and animals on grass and foot-paths.** No velocipede, bicycle, tricycle, wheelbarrow, handcart or other vehicle, or horse or other animal, shall be permitted on the foot-walks of said parks, nor upon the sidewalks, curb-stones or grass-plots or planting spaces of said boulevards, streets or driveways, nor to cross the same, nor shall any vehicle or horse or other animal go or be taken upon any part thereof, except upon the carriage-drives and upon such places as are appropriated for carriages at rest.

Sec. 26. **Obstruction of ways; soliciting passengers.** No velocipede, tricycle, bicycle, wheelbarrow, handcart, carriage or other vehicle or animal, shall be permitted to stand upon said roadways or carriage-drives to the obstruction of the way or the inconvenience of travel, nor shall any person solicit passengers for hire thereon, without the written permit of said Commissioners.

Sec. 27. **Funeral procession.** No funeral procession or hearse shall be permitted in said parks, nor upon such boulevards, streets or driveways; Provided, however, that nothing herein shall be construed to prevent the removal of any deceased body from any house abutting upon such boulevards or streets and the forming of a funeral procession therefrom, but such deceased body, hearse or procession shall not be permitted to proceed further thereon than the nearest cross-street in the direction in which such procession or hearse shall move.

Sec. 28. **Traffic wagons prohibited.** No omnibus, wagon, cart, dray, truck or other vehicle for carrying goods, merchandise or wares, or other articles, except such as are engaged in repairing or constructing said parks, boulevards, streets or driveways, shall be allowed thereon; Provided, however, that wagons or other vehicles carrying goods, merchandise or other articles, to or from any house or premises abutting upon any of such boulevards or streets, shall be permitted to enter thereon at the cross-street nearest said house or premises, in the direction in which the same are moving and deliver or receive such goods, merchandise, or other articles, but shall not proceed thereon further

than the nearest cross-street thereafter; and, Provided, Further, that at any time before the hour of two o'clock in the afternoon of each day, delivery wagons having wheels with tires of not less than three and one-half inches in width and drawn by one horse only, shall be allowed to proceed on and along said boulevards and streets; but this provision shall not apply to any of the driveways within the limits of the parks.

Sec. 29. **Hitching animals, dumping coal.** No person shall hitch a horse or other animal to any lamp-post, tree, or fire hydrant, nor ride nor drive over the curb-stones, sidewalks, or grass plots, nor dump any coal thereon.

Sec. 30. **Vehicles carrying lamps, lighted at night.** Velocipedes, bicycles, tricycles, carriages, cabs and other vehicles usually carrying lamps, must carry lamps and keep them lighted at night.

Sec. 31. **No obstructing of cross-walks.** All cross-walks must be kept clear and no carriages, wagons, carts, sleighs, or other vehicles, horses or other animals, will be permitted to stand thereon except so far as may be necessary in crossing the same.

Sec. 32. **No animal to stand unless hitched.** No person shall permit any horse or other animal to stand upon any portion of said boulevards, streets or driveways, unless the same shall be securely hitched, and, when the driver is not in charge, securely checked.

Sec. 33. **Penalty.** Any person violating any clause, section or provision of this chapter, shall be fined in a sum not exceeding one hundred dollars for each offense.

CHAPTER III.

BOULEVARDS, CARRIAGE-WALKS AND STREET OPENINGS.

34. Width of carriage-walks.
35. Composition of carriage-walks.
36. How walks laid.
37. Grade and location.
38. Stop-cock boxes.
39. Openings for house connections.
40. Special deposit.
41. Removal of sidewalk.
42. Connections, how made.
43. Refunding deposit.

Section 34. **Carriage-walks, width of.** Carriage-walks shall not be less than four nor more than eight feet in width, except that a permit may be issued to a church, hotel, stable or business house for a wider carriage-walk when the Commissioners shall be satisfied that the same is necessary.

Sec. 35. **Composition of.** Such carriage-walks shall be composed of either artificial or natural stone, as may be directed by the Commissioners. If of artificial stone, it shall be not less than four inches in thickness, composed of crushed granite and Portland cement mixed and laid in the proportions and manner directed by the Commissioners, and shall rest upon a base of at least five inches of cinders or broken stone; the end coming to the curb line shall be finished as directed by the Commissioners.

If of natural stone, it shall be the same kind and of the same thickness as the adjoining walk, free from any defects. The tops, sides and ends of the flag-stones, shall be dressed in the same manner as the surface of the adjoining walk. In case the length of the carriage-walk be six feet or less, it shall be composed of one flag-stone only, and in no case shall it be composed of more than two flag-stones.

Sec. 36. **Walks, how laid.** In cases where the carriage-walk is laid to a curb line, the joints at the curb and sidewalk must be close, not exceeding one-eighth of an inch; at the curb the carriage-walk shall be flush with the top of the curb, its end abutting the back end of the curb, and this end, if of natural stone, shall rest upon two stone piers not less than sixteen inches square and two feet and nine inches deep, and like piers shall be built under the middle joints if the carriage-walk is composed of two flag-stones; the end of the flag-stone adjoining the sidewalk shall rest upon a foundation of the same character that supports such sidewalk, and shall be flush with the surface.

Sec. 37. ——— ———**grade and location.** In case the carriage-walk extends to a gutter where there is no curb the end shall be brought to a grade given by the engineer, and shall be squarely dressed off in the same manner as its surface for its full thickness. In case the carriage-walk runs back from the sidewalk, it must extend to the lot-line or join some permanent step or coping, and its surface must be a continuation of the pitch of the sidewalk. The edges of all carriage-walks shall be laid at right angles to the line of the adjoining sidewalk.

Sec. 38. **Stop-cock boxes.** Stop-cock boxes for either gas or water pipes and sewer ventilating pipes shall be covered with a neat, closely fitting, iron cover, set to the surface grade.

Sec. 39. **Openings for house connections, permit.** No person shall be allowed to open or dig up any of the boulevards, streets or driveways without a per-

mit from the commissioners. Such permit may be issued by the secretary to any owner of property abutting upon such boulevards or streets who shall desire to make house connections with the sewers, water, gas or other pipes laid in such boulevards or streets, or to repair the same, subject to the provisions, conditions and regulations hereinafter contained.

Sec. 40. ——— ———, **deposit.** The applicant for such permit shall deposit with the secretary such a sum of money, not exceeding five hundred dollars in any one case, as the superintendent shall estimate will fully cover the expense to be incurred by the commissioners in connection with said opening.

Sec. 41. ——— ———, **removal of sidewalk.** When the making of such connection or repairs shall require the removal of any stone sidewalk, such removal shall be made by the employes of the commissioners, under the direction of the superintendent.

Sec. 42. **Connections, how made.** The trench necessary for such connection or repairs shall be made by the applicant or his employes, with the view to the slightest possible damage to the roadway, planting place and sidewalk.

No person shall be permitted to tunnel under the sidewalks, but pipes may be drawn through a hole made under sidewalks, provided such hole is not more than one inch larger in diameter than the pipe itself.

The grade and line of any pipes must not be such as to interfere with the curbing or other pipes now in said boulevards and streets.

When connections are to be made of different kinds

of pipes, all must be made simultaneously, and by means of a single trench when practicable.

Sec. 43. **Refunding deposit.** After the connection shall have been made or the repairs completed for which such permit shall have been issued, the trench shall be back-filled and the road-way, planting space and side-walk restored to their former condition by the employes of the commissioners, under the direction of the superintendent. The superintendent shall certify to the secretary the actual expense incurred in connection with the work done under said permit, and the secretary shall refund to the person to whom said permit shall have been issued, the difference, if any, between the amount deposited and the amount so certified by the superintendent.

CHAPTER IV.

BUILDINGS.

44. Extending into boulevards.
45. Extension of electric lights, balconies, windows, etc.
46. Construction of vaults.
47. Awnings.
48. Prismatic lights.
49. Use of boulevards, etc., for depositing building material.
50. Bond to open or take up boulevard.
51. Removal of house or building.
52. Permit for deposit of building material.
53. Danger signals, red lights.
54. Removal of obstructions.
55. Penalty.

Section 44. **Extending into boulevards.** There shall be nothing erected or constructed on the face of any building, or in any way connected therewith, which shall extend into or over any of the boulevards, streets or avenues under the control of the South Park Commissioners, except as hereinafter stated.

Sec. 45. **Extending of electric lights, windows, balconies.** Gas and electric lamps may extend from a building not to exceed three and one-half feet beyond the lot line; Provided, that the lowest point of such lamps shall not be nearer than twelve feet to the grade of the sidewalk adjoining the building. Bay windows, balconies and other structural projections, except as herein otherwise permitted, may extend from a building not to exceed two and one-half feet beyond the lot line; Provided, that such projections shall not be nearer than sixteen feet to the grade of the sidewalk adjoining the building.

Sec. 46. **Vaults.** On Michigan Avenue north of Thirty-second Street, and on Jackson Street, property-owners may construct a vault under the sidewalk and planting space in front of their property to the curb-line of any width they desire, such vaults to be covered with flag-stones not less than eight feet in length and four feet in width, of a thickness satisfactory to and supported in a manner approved by and with such finish at the curb-line as shall be directed by the South Park Commissioners. No coal holes or lights will be permitted in the eight feet adjoining the lot-line, except as provided for in section 48, of this ordinance.

In other parts of Michigan Avenue and upon the other boulevards, streets and avenues under the control of the South Park Commissioners, such vaults may be constructed, but between the sidewalk and the curb-line they shall not exceed eight feet in width, nor shall more than one vault be constructed in front of any one lot.

No vault shall be constructed without a permit from the South Park Commissioners, and such permit shall only be issued after the plans for such vault shall have been submitted to and approved by said South Park Commissioners.

Sec. 47. **Awnings.** Flexible canvas awnings, which can be closed up against the building, will be permitted, extending not to exceed eight feet from the lot line, and at no point closer than eight feet to the grade of the sidewalk. Such awnings shall be supported entirely from the building, must be kept in good repair and shall be removed on the first of November in each year, and not replaced until the first of April of

the succeeding year. If any provision of this section is not strictly complied with, permission to maintain such awnings will be revoked.

Sec. 48. **Prismatic lights.** Prismatic lights not to exceed four feet in width joining the lot line will be allowed only in places on Michigan Avenue north of Thirty-second Street where the sidewalk extends to the curb-line continuously from the nearest street intersection and on Jackson Street, such lights to be set to the sidewalk grade.

Sec. 49. **Use of boulevards for depositing building material.** Before permission shall be given to use any part of any boulevard, avenue or street under the control of the South Park Commissioners for the purpose of erecting or repairing any building, or for depositing any building material thereon, or for making any use thereof in connection with the erection or repairing of any building, the plans for the elevation of said building, which shall front upon said boulevard, street or avenue, showing in detail the projections, if any, over the lot line, shall be submitted to the South Park Commissioners, and if in the course of the erection or repairing of said building any changes are made in such elevation in regard to said projections, plans for such changes must be submitted to the said South Park Commissioners; no such projection shall be constructed without a permit from said South Park Commissioners. All permits for such use of said boulevards, streets and avenues shall be revocable in the discretion of the South Park Commissioners.

Sec. 50. **Bond to open or take up boulevard.** Hereafter, before any permit is issued to open or take

up any of the boulevards, streets or driveways, or place any building material or other obstruction thereon, the applicant for such permit shall execute a bond to the South Park Commissioners in the penal sum of ten thousand dollars, indemnifying said Commissioners against any damages on account of injury to persons or property which may be occasioned by or result from the issuing of such permit, or the opening or using of such boulevard, street or driveway, or any part thereof, for the purpose stated in such permit.

Sec. 51. **Moving buildings.** No person shall be permitted to move any house or building on, along or across any of said parks, boulevards, streets or driveways, except under the following circumstances: 1. A person having a permit from the City of Chicago to move a frame building along a street which intersects a boulevard or street under the control of the South Park Commissioners, may obtain a permit to move the same across the said boulevard or street, upon depositing with the Secretary such a sum of money, not exceeding two hundred dollars in any one case, as shall be sufficient to cover all damages to the roadway. 2. A person having a permit from the City of Chicago to move a frame building located on a lot which abuts upon a boulevard or a street under the control of the South Park Commissioners, may obtain a permit from the Secretary to move the said house from the said lot to the nearest street corner, to be thence moved upon the intersecting street, upon depositing with the Secretary such a sum of money, not exceeding two hundred dollars in any one case, as the superintendent shall estimate will fully cover all damages to the sidewalks, roadway, grass-plots, lamp posts, trees and other

property and improvements upon said boulevard or street. Said permit shall be issued only upon the express condition that said moving shall be commenced and completed between the hours of one and six A. M., and that the occupancy of the said boulevard or street shall continue only between said hours.

After said moving shall have been completed the roadway, grass-plots, sidewalks, lamp posts, trees and other property and improvements shall be restored to their former condition by the employes of the Commissioners, under the supervision of the superintendent. The superintendent shall thereupon certify to the secretary the actual expense incurred in such restoration, and the secretary shall refund to the person to whom such permit shall have been issued the difference, if any, between the amount deposited and the amount so certified by the superintendent.

Sec. 52. **Permit for deposit of building material.** No person shall place or deposit or allow to be placed or deposited on any of said boulevards or streets any building material whatsoever, or any articles or things which would obstruct or hinder travel thereon without the written permission of the said Commissioners, which said permit shall state how great a space will be allowed on which the same may be placed or deposited, and the length of time during which said permit shall be in force.

Sec. 53. **Danger signals—red lights—sidewalk.** Every person having the use of any portion of said boulevards or streets or sidewalks for the purpose of erecting or repairing any building, or for any other purpose, shall cause two red lights to be placed in a conspicuous

place, one at each end of such obstruction, from dusk until sunrise of the next day, during the time such obstruction shall remain, and shall also construct and maintain proper safeguards, and a good and safe plank sidewalk around such obstruction, which sidewalk shall be at least two feet wide.

Sec. 54. **Removal of obstructions.** Any walk, projection or other obstruction, which shall be constructed, erected, placed or moved in, over or upon any of the boulevards, streets or avenues under the control of the South Park Commissioners, contrary to any of the provisions of this chapter, shall be removed by the South Park superintendent.

Sec. 55. **Penalty.** Any person who shall violate any of the provisions of this chapter or any section thereof, shall be subject to a penalty of not less than ten dollars nor more than two hundred dollars for each and every offense, and punished accordingly.

CHAPTER V.

CONTRACTS AND DISBURSEMENTS.

56. Contracts to be advertised.
57. Contracts, execution of.
58. Contractors, bonds.
59. Manner of drawing warrants.
60. Time of drawing warrants.
61. Payment of bills.
62. No work to be ordered or money paid except by resolution of Board.

Section 56. **Contracts to be advertised.** All contracts exceeding in amount the sum of five hundred dollars for work, materials or supplies, shall be let by the Commissioners, after advertisement, to the lowest trustworthy and responsible bidder, such advertisement in all cases to reserve the right to reject any and all bids: Provided, however, that such contract may be let without advertisement if authorized by a vote of four Commissioners.

Sec. 57. **Contracts, execution of.** All such contracts shall be executed in duplicate by the president and secretary, on the part of the Commissioners, and by the contractor, and attested by the seal of the Commissioners; one original copy so executed shall be kept by the secretary in his office and the other shall be given to the contractor.

Sec. 58. **Contractors, bonds.** Whenever any work or improvement is let by contract, the contractor shall make, execute and deliver to the Commissioners a bond with good and sufficient sureties, in such amount as shall be adequate to insure the performance of the work in the time and manner in such contract specified,

and also to save and indemnify, and keep harmless, the Commissioners against all liabilities, judgments, costs and expenses which may in any wise accrue against the Commissioners in consequence of granting such contract, or which may in any wise accrue from the carelessness or neglect of such contractor, and conditioned also for the payment of all claims and demands whatsoever which may accrue to each and every person who may be employed by such contractor, or by any sub-contractor of such contractor in and about the performance of such contract; which said bond shall be approved by the president before the delivery to the contractor of the duplicate contract hereinbefore provided.

Sec. 59. **Warrants, manner of drawing.** All warrants for the payment of money shall be drawn on the treasurer by the secretary and shall be signed by the secretary and countersigned by the auditor.

Sec. 60. **Warrants, time of drawing.** Warrants for the payment of the regular salaries of the officers and of the regularly accruing interest upon the bonded indebtedness may be drawn and issued as the same become due and payable. No other warrants shall be drawn except upon the order of the Commissioners, made and entered of record at a meeting thereof.

Sec. 61. **Payment of bills.** All claims and bills other than salaries and interest shall be filed with the secretary, and, after examination by the auditor, presented by the secretary to the Commissioners at the next meeting, and, if approved and ordered paid by the Commissioners, warrants shall be drawn therefor in the manner above set forth.

Sec. 62. **No work to be ordered or money paid except by resolution of board.** No Commissioner nor any committee of the Commissioners, nor any officer or employe thereof, shall direct the commencement or prosecution of any work, or the purchase of any material or supplies, nor authorize any expenditure of money without the direct order or resolution of the Commissioners, made and entered of record at a meeting thereof, except that in cases of obvious necessity the president and superintendent, or either of them, may exercise a wise discretion, but where such action shall involve the expenditure of more than fifty dollars it shall be especially reported to the Commissioners at their next meeting.

CHAPTER VI.

MEETINGS AND RULES OF ORDER.

63. Meetings.
64. Special meetings.
65. Annual meeting.
66. Quorum.
67. Committees.
68. Ordinances.
69. Vote on expenditure.
70. Reports.

Section 63. **Regular meetings.** Regular meetings of the Commissioners shall be held on the second Wednesday of each month, at half-past two o'clock in the afternoon.

Sec. 64. **Special meetings.** Special meetings may be called by the president whenever he shall deem it necessary, and shall be called by the secretary at the request of any two Commissioners. Written notice shall be given to each Commissioner of the time and place of each special meeting.

Sec. 65. **Annual meeting.** The annual meeting of the Commissioners shall be held at the time appointed for the first regular meeting after the appointment and qualification of the Commissioners annually appointed.

Sec. 66. **Quorum.** Three Commissioners shall constitute a quorum for the transaction of business.

Sec. 67. **Committees.** Committees may be appointed from time to time, as necessity may require, in such manner as the Commissioners may, by resolution, determine.

Sec. 68. **Ordinances and reports to be in writing.** All ordinances and reports of committees and meetings shall be in writing.

Sec. 69. **Vote, manner of.** The yeas and nays shall be taken upon the passage of all ordinances and upon all propositions to create any liability, or for the expenditure or appropriation of money, and in all cases at the request of any Commissioner, which shall be entered upon the journal of the proceedings.

Sec. 70. **Reports, action on deferred.** Any report of a committee shall be deferred for final action thereon to the next regular meeting after the report thereof at the request of any two Commissioners present.

CHAPTER VII.

MISDEMEANORS.

71. Playing of games.
72. Frightening animals.
73. Fire-arms and fire-works.
74. Hindering employes.
75. Peddlers.
76. Indecent language, gambling, drunkenness.
77. Playing musical instruments, displaying flags, etc., processions, etc.
78. Bathing and fishing.
79. Injury to park property.
80. No travel except on "Common."
81. Posting of notices, bills, etc.
82. Advertising.
83. Refuse and garbage.
84. Coal on grass-plots.
85. Fence around grass-plots.
86. Breach of peace, riot, disorderly conduct, etc.
87. Vagrancy.
88. Indecent exposure, etc.
89. Cruelty to animals.
90. Deformed, etc., person, exposure of.
91. Lewd acts in public—obscene gesture.
92. Birds, protection of.
93. Distribution of handbills, etc.
94. Goods, wares, etc., on streets—Nuisance.
95. Drunkenness.
96. Obscene or indecent books, pamphlets, etc.
97. Cheating device.
98. Dangerous openings in sidewalk.
99. Vagrants.
100. Removing snow from sidewalks.
101. Penalty.

Section 71. **Playing of games.** No person shall play at any game whatsoever in or upon any of the parks, boulevards, streets or driveways, under the control of the South Park Commissioners, except upon such portions thereof as may be designated from time to time by the South Park Superintendent, and under such rules and regulations as may be prescribed by him, and any person violating this section shall be subject to a fine of not to exceed Twenty-five Dollars for each and every offense.

Sec. 72. **Frightening horses, etc., by sport.** No person shall engage in any sport or exercise upon such boulevards, streets or driveways as shall be liable to frighten horses, injure passengers, or embarrass the passage of vehicles thereon, under a penalty of not to exceed Twenty-five Dollars for each and every offense.

Sec. 73. **Fire-arms, missiles, and fire-works.** No person shall fire or discharge any gun or pistol or carry fire-arms, or throw stones or other missiles within said parks, boulevards, streets or driveways; nor shall any person fire, discharge or set off any rocket, cracker, torpedo, squib or other fire-works, or things containing any substance of an explosive character, under a penalty of not to exceed Twenty-five Dollars for each and every offense.

Sec. 74. **Hindering employes.** No person shall interfere with, converse with, or in any manner hinder park employes while engaged in constructing or repairing any portion of the parks or boulevards, under a penalty of not to exceed Twenty-five Dollars for each and every offense.

Sec. 75. **Peddlers.** No person shall expose any article or thing for sale, or do any hawking or peddling therein or thereon, under a penalty of not to exceed Twenty-five Dollars for each and every offense.

Sec. 76. **Indecent language, gambling, drunkenness.** No person shall use abusive, insulting or obscene language, or language calculated to occasion a breach of the peace, nor shall any person tell fortunes, play at any games of chance, be drunk, or do any indecent acts therein, under a penalty of not to exceed Twenty-five Dollars for each and every offense.

Sec. 77. **Playing musical instruments, displaying banners, etc., parades, etc.** No person, without the consent of the South Park Commissioners, shall play any musical instrument, or carry or display any flag, target, banner or transparency, nor shall any military or target company or band or procession be permitted to parade, march, drill or perform any evolutions or ceremonies in the parks, or along and upon said streets, boulevards or driveways, or do or perform any act tending to cause persons to congregate therein or thereupon, and no club, association or party of bicycle or tricycle riders shall make runs, or have parades upon said streets, boulevards or driveways without first obtaining a permit from the South Park Commissioners, under a penalty of not to exceed Twenty-five Dollars for each and every offense.

Sec. 78. **Bathing and fishing.** No person shall bathe or fish in the waters of the parks, or go, or send, or ride any animals into the same, nor shall any person disturb any fish, fowl or other animals kept therein, or throw anything into the waters or place anything upon the grounds thereof, under a penalty of not to exceed Twenty-five Dollars for each and every offense.

Sec. 79. **Injury to park property.** No person shall cut, break, mark upon, or in any way injure or deface any of the trees, shrubs, plants, turf, grass, lamp-posts, fences, bridges, buildings, or other constructions or property, in or upon said parks, boulevards, streets or driveways, under a penalty of not to exceed Fifty Dollars for each and every offense.

Sec. 80. **No travel except on common.** No person shall climb or walk upon any wall or fence of said

parks, nor cross nor travel upon any grass or lawn therein, except where the word "Common" shall be posted to indicate the permission so to do, nor shall any person cross or travel on the grass-plots, or planting-spaces upon such boulevards, streets or driveways, under a penalty of not to exceed Twenty-five Dollars for each and every offense.

Sec. 81. **Posting of notices, bills, etc.** No person shall post or fix any notice or bill, or other writing or printing on any tree, lamp-post, hydrant, curb-stone, coping, flag-stone, fence, wall, building or other place, under the control of the South Park Commissioners, under a penalty of not to exceed Twenty-five Dollars for each and every offense.

Sec. 82. **Display of advertising.** No person shall drive any vehicle displaying any placard or advertisement of any kind, along said boulevards, streets or driveways; nor shall any person display any placards or any advertisements of any kind on or along the same, under a penalty of not to exceed Twenty-five Dollars for each and every offense.

Sec. 83. **Garbage on sidewalks, etc.** No ashes, garbage, or rubbish of any kind, shall be put on the roadways, sidewalks, or grass-plots or planting-spaces, of such boulevards, streets or driveways, under a penalty of not to exceed Twenty-five Dollars for each and every offense.

Sec. 84. **Coal on grass-plots.** No person shall be permitted to dump or deposit any coal on said grass-plots or planting-spaces or sidewalks, under a penalty of not to exceed Twenty-five Dollars for each and every offense.

Sec. 85. **Fence around grass-plots.** No person shall be permitted to build or place any fence or other barrier around said grass-plots or planting-spaces, under a penalty of not to exceed Twenty-five Dollars for each and every offense.

Sec. 86. **Breach of peace, riot, disorderly conduct, etc.** No person shall make, aid, countenance or assist in making any improper noise, riot, disturbance, breach of the peace, or diversion tending to a breach of the peace within any of the parks, or boulevards, or other public places under the control of the South Park Commissioners, or be guilty of any disorderly conduct therein, or collect, with other persons, in bodies or crowds for unlawful purposes, or for any purpose, to the annoyance or disturbance of citizens or travelers, under the penalty of not less than Two Dollars nor exceeding One Hundred Dollars for each and every offense.

Sec. 87. **Vagrancy.** Any person wandering abroad and begging, or who goes about from door to door, or places himself in the streets, or other public places to beg or receive alms, shall be deemed a vagrant, and upon conviction shall be fined in a sum not less than Five Dollars nor more than One Hundred Dollars for each and every offense.

Sec. 88. **Indecent exposure, etc.** If any person shall appear in any public place, under the control of the South Park Commissioners, in a state of nudity, or in a dress not properly belonging to his or her sex, or in an indecent or lewd dress, or shall make any indecent exposure of his or her person, or be guilty of any

lewd or indecent act or behavior, he or she shall be subject to a fine of not less than Ten Dollars nor more than Two Hundred Dollars for each and every offense.

Sec. 89. **Cruelty to animals.** Whoever shall be guilty of cruelty to any animal in any way of the ways mentioned in this section shall be fined not less than Three Dollars nor more than One Hundred Dollars for each offense, viz:

1. By overloading, overdriving, overworking, cruelly beating, torturing, tormenting, mutilating, or cruelly killing any animal, or causing or knowingly allowing the same to be done.

2. By cruelly working any old, maimed, infirm, sick or disabled animal, or causing or knowingly allowing the same to be done.

3. By unnecessarily failing to provide any animal in his charge or custody, as owner or otherwise, with proper food, drink and shelter.

4. By abandoning any old, maimed, infirm, sick or disabled animal.

5. By carrying or driving, or causing to be carried or driven or kept any animal in an unnecessarily cruel manner.

Sec. 90. **Deformed, etc., person, exposure of.** No person who is diseased, maimed, mutilated or deformed so as to be an unsightly or disgusting object, or an improper person to be allowed in public places, shall expose himself or herself to public view in or upon any of the parks, boulevards or other public places under

the control of the South Park Commissioners, under the penalty of not to exceed Ten Dollars for each and every offense.

Sec. 91. **Lewd acts in public—obscene gesture.** Any person who shall commit any indecent, lewd or filthy act in any place, or shall utter any lewd or filthy words, or use any threatening or abusive language in the hearing of other persons publicly, or shall make any obscene gesture, to or about any other person publicly, shall be deemed a disorderly person, and shall be subject to the penalty of not less than Five Dollars nor more than Two Hundred Dollars for each and every offense.

Sec. 92. **Birds, protection of.** No person shall kill or wound, or attempt to kill or wound, by the use of fire-arms, bow and arrow, pelting with stones or otherwise, any bird within the territory under the control of the South Park Commissioners, or shoot an arrow, or throw a stone, or club, or other missile at any bird within any private grounds near or abutting upon any of the territory under the control of the South Park Commissioners, under the penalty of not less than Two Dollars nor more than Ten Dollars for each offense.

Sec. 93. **Distribution of hand bills, etc.** No person or persons shall distribute, cast, throw, or place in, upon, or along any of the boulevards, streets, parks or other public places under the control of the South Park Commissioners any hand-bills, pamphlets, circulars or other advertisements for any purpose whatever, under a penalty of not less than Five Dollars nor more than Twenty-five Dollars for each and every offense.

Sec. 94. **Goods, wares, etc., on streets; Nuisance.** It shall constitute, and it is hereby declared, a nuisance for any person to set or place, or cause to be set or placed, or permit to remain, any goods, wares, merchandise or other property of any kind on any street, boulevard, sidewalk or driveway, for a longer time than two hours. Any person who shall so obstruct the street, sidewalk, boulevard, or driveway, in front of any store or dwelling with any goods, wares, merchandise, or other property of any kind, for a longer period than aforesaid, shall be subject to the penalty of not less than Five Dollars nor more than Fifty Dollars for each and every offense, and it shall be the duty of the South Park Superintendent to forthwith remove and abate such nuisance.

Sec. 95. **Drunkenness.** No person shall be intoxicated in any street, highway, thoroughfare, park or public place, or in any private house or place, to the disturbance of any person.

Sec. 96. **Obscene or indecent books, pamphlets, etc.** No person shall exhibit, sell or offer to sell, give away or offer to give away, or have in his possession, with or without intent to sell or give away, any obscene or indecent book, pamphlet, paper, drawing, lithograph, engraving, picture, daguerreotype, photograph, stereoscopic picture, model, cast, instrument or any article of indecent or immoral use.

Sec. 97. **Cheating device.** No person shall manage, use or practice any game or device whatever, with intent to cheat or defraud another.

Sec. 98. **Dangerous openings in sidewalks.** No person shall keep or leave open any cellar door, or grating of any vault, on any highway or sidewalk, or suffer the same to be left or kept open, or suffer any sidewalk in front of his premises to become or continue so out of repair as to endanger life or limb.

Sec. 99. **Vagrants, etc.** Vagrants, mendicants, idle and dissolute persons, who go about begging, or place themselves in any highway to beg or receive alms, persons who use any juggling or unlawful games, common drunkards, prostitutes, lewd, wanton and lascivious persons in speech or behavior, or common raiders and brawlers, persons who habitually neglect their employment or calling, and do not provide for themselves or for the support of their families, and all persons who, not having visible means to maintain themselves, are without employment, and habitually frequent houses of ill-fame, gaming houses, dram-shops or saloons, may be imprisoned not to exceed six months, or fined not to exceed two hundred dollars.

Sec. 100. **Removing snow from sidewalks.** Every owner or occupant of any house or other building, and the owner or proprietor, lessee, or person entitled to the possession of any vacant lot, and every person having the charge of any church, public hall, or other public building, fronting upon any of the parks or boulevards under the control of the South Park Commissioners, shall, during the winter season, and during the time snow shall continue on the ground, before nine o'clock on every morning when necessary clear the sidewalk or sidewalks in front of such house, or other building, or in front of such lot, from snow and ice, and

keep the same free therefrom during the day; and every person neglecting or refusing to comply with any of the provisions of this section shall be guilty of a misdemeanor and incur a penalty of not less than Five ($5.00) Dollars for each neglect or refusal.

Sec. 101. **Penalty.** Any person violating any clause, section or provision of this chapter, where no penalty is already provided, shall be fined in a sum not less than One Dollar and not exceeding One Hundred Dollars for each and every offense.

CHAPTER VIII.

OFFICERS.

102. Offices not provided by charter.
103. Officers removed.
104. Clerks and assistants.
105. Salaries
106. Secretary.
107. Secretary keep record of ordinances, etc.
108. Secretary, other duties.
109. Treasurer.
110. Superintendent.
111. Superintendent, orders to.
112. Engineer.
113. Gardener.
114. Attorney.

Section 102. **Offices not provided by charter.** The following named officers, in addition to those created by the charter, shall be appointed by the South Park Commissioners, to-wit: South Park Superintendent, South Park Attorney, South Park Captain of Police, and South Park Gardener. Such officers shall hold office, unless sooner removed, until their successors are appointed and qualified.

Sec. 103. **Officers removed.** Any officer appointed may be suspended or removed by the Commissioners, and all vacancies shall be filled by them.

Sec. 104. **Clerks and assistants.** The Commissioners shall also, from time to time, appoint such clerks and assistants as the service may require, and dismiss the same in their discretion.

Sec. 105. **Salaries.** The salaries of all officers shall be fixed annually by resolution and shall be payable monthly.

Sec. 106. **Secretary.** The Secretary shall keep the corporate seal and affix the same to all papers which require it. He shall keep all records and papers belonging to the Commissioners, attend all meetings of the Commissioners and keep a full record of their proceedings in the journal.

Sec. 107. **Secretary to keep record of ordinances, etc.** All ordinances and resolutions passed by the Commissioners shall be recorded by the Secretary in a book to be kept for that purpose before the next regular meeting after their passage, and if any such ordinance or resolution shall require publication he shall cause the same to be duly published.

Sec. 108. **Secretary, other duties.** He shall also perform such other duties as may be required of him by law or by the ordinances or resolutions of the Commissioners.

Sec. 109. **Treasurer.** The Treasurer shall receive all the moneys belonging to the Commissioners and shall pay the same out only upon warrants regularly drawn, as hereinafter provided. He shall make monthly reports of the receipts and disbursements of money, and also submit to the annual meeting a detailed report showing the receipts and disbursements of money during the preceding year.

Sec. 110. **Superintendent, authority of.** The Superintendent shall have the general management and control of the parks, boulevards, streets and driveways under the control of the Commissioners. He shall appoint such assistants and employes as the Commission-

ers may authorize, subject to their approval, and he shall have power to remove such assistants and employes as he appoints.

Sec. 111. **Superintendent, orders to, of Commissioners.** He shall also receive and execute the orders of said Commissioners and comply with such rules and regulations as the Commissioners may, by ordinance or resolution, prescribe.

Sec. 112. **Engineer.** The Superintendent shall also be the Engineer, and have charge of the engineering department and do all the surveying and civil engineering required.

Sec. 113. **Gardener.** The Gardener shall be under the direction of the Superintendent, and under his direction shall have charge of all the green-houses, shrubs, flowers and other matters and things pertaining to the nursery and horticultural department, and shall perform such other duties as may be imposed upon him by the ordinances or resolutions of the Commissioners.

Sec. 114. **Attorney.** The Attorney shall have charge of all litigation to which the Commissioners shall be a party, and shall draft all instruments required by the Commissioners and give opinions in writing on all questions referred to him by the Commissioners.

CHAPTER IX.

ORDINANCES.

115. Record of.
116. Two penalties—one recovery only.
117. When minimum fine only expressed—Maximum.
118. Words, how construed.
119. Penalty, not expressed.

Section 115. **Record of Ordinances.** All ordinances passed by the South Park Commissioners shall be recorded by the Secretary in a proper book or books with indexes. The originals shall be filed in the Secretary's office.

Sec. 116. **Two penalties for same offense—one recovery only.** In all cases where the same offense may be made punishable, or shall be created by different clauses, or sections of the ordinances of the South Park Commissioners, the officer, or person prosecuting, may elect under which to proceed, but not more than one recovery or punishment shall be had against the same person for the same offense.

Sec. 117. **When minimum fine only expressed—maximum.** Whenever in this or in any ordinance hereafter passed a minimum but no maximum fine or penalty is imposed, the Court may, in its discretion, adjudge the offender or offenders to pay any sum of money exceeding the minimum fine or penalty so fixed, not exceeding the sum of Two Hundred Dollars.

Sec. 118. **Words, plural, etc., how construed.** Whenever any words in any ordinance importing the plural number shall be used in describing or referring

to any matters, parties or persons, any single matter, party or person shall be deemed to be included, although distributive words may not be used. And, when any subject matter, party or person, shall be referred to in any ordinance by words importing the singular number only, or the masculine gender, several matters, parties or persons, and females as well as males, and bodies corporate shall be deemed to be included: Provided, that these rules of construction shall not be applied to any ordinance which shall contain any express provision excluding such construction, or where the subject matter or context of such ordinance may be repugnant thereto.

Sec. 119. **Penalty not expressed.** Whenever in any ordinance the doing of any act or the omission to do any act or duty is declared to be a breach thereof, and there shall be no fine or penalty declared for such breach, any person who shall be convicted of any such breach shall be adjudged to pay a fine of not less than Three Dollars nor more than One Hundred Dollars.

CHAPTER X.

POLICE DEPARTMENT.

120. Police, number—Captain of police.
121. Police—age.
122. Superintendent to appoint police.
123. Special police.
124. Duties of police.
125. Powers of police.
126. Escape, resisting police—Penalty.
127. Impersonation of police—Penalty.

Section 120. **Police, number—Captain.** The police force shall consist of such number of policemen as shall from time to time be appointed by authority of the Commissioners, and shall be under the command of the Captain of Police. The Captain of Police shall be subject to the direction of the Superintendent, who shall make proper rules and regulations for the discipline of the police force not inconsistent with the provisions of this ordinance

Sec. 121. **Police, age, requirements.** The applicants for position on the police force shall not be over thirty-five years of age, nor less than five feet ten inches tall, and must be expert in horsemanship and be capable of protracted physical endurance.

Sec. 122. **Police appointed by Superintendent.** The Superintendent shall make all appointments to the police force, subject to the approval of the Commissioners, and shall have power to remove any member of the police force, reporting his reasons therefor to the next meeting of the Commissioners.

Sec. 123. **Special police.** The Superintendent, in case of emergency, is hereby authorized and empowered to appoint special policemen, and such policemen shall have the same powers and authority as the regular police force, provided that such appointment shall in no case continue for more than twenty-four hours.

Sec. 124. **Police duties.** The several members of the police force, when on duty, shall devote their time and attention to the discharge of the duties of their station under the direction of the Captain of Police, in accordance with the ordinances and the rules and regulations of the Superintendent, and it shall be their duty to preserve, to the best of their ability, order, peace and quiet, and to enforce the laws and ordinances.

Sec. 125. **Police powers.** They shall have power to arrest any person found in the act of violating such laws and ordinances, or aiding or abetting any such violation, and they shall take all persons so arrested before some justice of the peace or police magistrate.

Sec. 126. **Resisting police—escape—penalty.** No person shall resist any member of the police force in the discharge of his duty, or in any way interfere with or hinder or prevent him from discharging his duty, or offer or endeavor so to do, or in any manner assist any person in custody of any member of the police force to escape or attempt to escape from such custody, or rescue or attempt to rescue any person in custody, under a penalty for each offense of not less than Ten Dollars.

Sec. 127. **Impersonation of police—penalty. No** person shall falsely represent or personate any member

of the police force, or pretend to be a member of the police force, or maliciously and with intent to deceive, use any of the signs, signals or devices adopted or used by the police department, and no person shall wear in public the uniform adopted as the police uniform, except active members of the police force. Any person violating any of the provisions of this section shall be subject to a fine of not less than Ten Dollars for each and every offense.

CHAPTER XI.

RAILROADS.

128. Flagman, gates.
129. Penalty.
130. Obstructions at crossings.
131. Penalty.

Section 128. **Flagman—gates.** All railroads now using and maintaining, or which shall hereafter use and maintain railroad tracks across or intersecting any of the parks, boulevards, streets or driveways under the control of the South Park Commissioners shall station, keep and maintain at all times, at their own expense at each and every of such crossings and intersections a flagman, whose duty it shall be to signal persons traveling in the direction of such crossing and warn them of the approach of any locomotive engine, or car, or of any impending danger, and such railroad companies shall construct and maintain gates at such crossings and intersections whenever requested or required so to do by resolution of the South Park Commissioners.

Sec. 129. **Penalty.** Any railroad or railway company failing to observe or comply with the provisions of section one hundred and twenty-eight shall be subject to the penalty of not less than Ten Dollars nor more than Two Hundred Dollars for each and every offense, and each and every day that such failure shall continue shall be deemed, and constitute, a separate offense.

Sec. 130. **Obstructions at crossings.** No railroad company, railroad engineer, train conductor or other

railroad employe, or person, shall cause or allow any locomotive engine, car or cars, or train of cars, to stop or remain upon any railroad crossing across or intersecting any of the parks, boulevards or streets under the control of the South Park Commissioners for a longer period than five minutes at any one time, nor shall such railroad crossings or intersections, or the tracks thereon be used at any time for switching purposes.

Sec. 131. **Penalty.** Any railroad company, engineer, train conductor or other railroad employe, or any person who shall violate any of the provisions of section one hundred and thirty shall be subject to the penalty of not less than Five Dollars nor more than One Hundred Dollars for each and every offense.

CHAPTER XII.

REPEAL.

Sec. 132. **Repeal.** All ordinances and parts of ordinances in conflict with this ordinance or any part thereof are hereby repealed.

Sec. 133. **In Force.** This ordinance shall be in force and effect upon and from its passage and due publication.

State of Illinois, }
County of Cook, } ss.
South Park }
Commissioners. }

I, E. G. Shumway, secretary of the South Park Commissioners in the County and State aforesaid, and keeper of all papers, entries, records and ordinances of said South Park Commissioners, do hereby certify that the above and foregoing is a true copy of an ordinance entitled "Municipal Code of the South Park Commissioners," passed by the South Park Commissioners on the 10th day of March, A. D. 1897.

I further certify that I am the keeper of the original ordinance of which the foregoing is a certified copy, and that the same is on file in my office.

In Witness Whereof I have hereunto set my hand and affixed the seal of the South Park Commissioners, this ——— day of ———, A. D. 1897.

Secretary of the South Park Commissioners.

STATUTES AND DECISIONS RELATING

TO THE

SOUTH PARK COMMISSIONERS.

ORIGINAL CHARTER.

AN ACT TO PROVIDE FOR THE LOCATION AND MAINTENANCE OF A PARK FOR THE TOWNS OF SOUTH CHICAGO, HYDE PARK AND LAKE. [APPROVED FEBRUARY 24, 1869.]

Section 1. **Appointment—Oath—Bond.** Be it enacted by the People of the State of Illionis, represented in the General Assembly, That five persons, who shall be appointed by the Governor of the State of Illinois, together with their successors, be, and they are hereby, constituted a Board of Public Park Commissioners for the towns of South Chicago, Hyde Park and Lake, to be known under the name of the South Park Commissioners; and in case of the failure of any of said persons to accept such appointment, and to qualify thereunder as hereinafter provided, within sixty days after the passage of this act, the place of such person in said commission shall be thereby vacated, and it shall be the duty of a majority of the Commissioners so accepting to appoint some suitable person to fill the place thus made vacant, which appointment, when accepted by such nominee, shall constitute such person as a Commissioner under this act. And a majority of said Commissioners shall so continue to nomi-

nate until the board shall consist of five persons. Each of said Commissioners, before entering upon the duties of his office, shall take an oath to well and properly discharge the duties of his office for the interest of the public, which oath shall be reduced to writings subscribed to by him, and filed in the office of the County Clerk of Cook County. They shall each give a bond in the penal sum of fifty thousand dollars, with one or more sureties, to be approved by the Judge of the Circuit Court of Cook County to the Treasurer of Cook County, conditioned for the faithful discharge of their duties under this act.

Sec. 2. **Term—Officers—Seal—Vacancies.** As soon as convenient, after the said board shall be constituted as aforesaid, the members thereof shall decide by lot, at a meeting to be called by any three of them, as to the respective terms for which each member shall hold his office; the number of lots shall equal the number of Commissioners, and the person drawing the longest term shall serve for five years from the first day of March, A. D. 1869; the one drawing the next shall serve for four years from said date; the one drawing the next shall serve for three years from said date; and so on until the term of each one of said Commissioners shall be definitely determined, each one serving for the length of time inscribed on the lot drawn by him—the last of said Commissioners serving for the term of one year only from said first day of March, A. D. 1869. As soon as the term of office of each of said Commissioners shall be determined as aforesaid, said board shall organize by electing one of their number as President, and one of their number as Auditor; they shall also appoint a Treasurer, prescribe his duties and fix his

compensation, who shall give bond for the faithful discharge of his duties in the penal sum of five hundred thousand dollars, with not less than three sufficient sureties, to be approved by the Judge of the Circuit Court of Cook County. They shall also choose a Secretary, who shall not necessarily be a Commissioner, and who shall hold his office until his successor shall be appointed, as hereinafter provided; and all officers appointed by the board shall be subject to removal at the pleasure of the board. The said board shall adopt a seal and alter the same at pleasure; they shall keep a complete record of all their proceedings, which shall be open at all times for the inspection of the public. The said Commissioners shall receive no compensation for their services, except the President, who may, in the discretion of said board, have and receive such compensation as may be fixed as hereinafter provided, not to exceed three thousand dollars per annum. All vacancies occurring in said board shall be filled by the appointment of the Judge of the Circuit Court of Cook County, when such vacancy or vacancies shall occur. Said Board of Commissioners shall be a body politic and corporate, and shall have and enjoy all the powers necessary for the purposes of this act.

Sec. 3. **Election.** The President, Auditor, Treasurer and Secretary shall be elected annually by said board, at the annual meeting thereof, and shall receive such salary for their services as said board shall from time to time determine, not exceeding, for each of said officers, the sum of three thousand dollars per annum.

Sec. 4. **Lands to be taken.** The said Commissioners, by this act, are authorized and empowered to,

and they shall, within ninety days after their organization as aforesaid, or as soon thereafter as practicable, select the following described lands, situated in the towns of South Chicago, Hyde Park and Lake, in Cook County, Illinois, to-wit: Commencing at the southwest corner of Fifty-first street and Cottage Grove avenue, running thence south along the west side of Cottage Grove avenue to the south line of Fifty-ninth street; thence east along the south line of Fifty-ninth street to the east line of Hyde Park avenue; thence north on Hyde Park avenue to Fifty-sixth street; thence east along the south line of Fifty-sixth street to Lake Michigan; thence southerly along the shore of the lake to a point due east of the center of section twenty-four (24), in township thirty-eight (38) north, range fourteen (14); thence west through the center of said section twenty-four (24) to Hyde Park avenue; thence north on the east line of Hyde Park avenue to the north line of Sixtieth street, so called; thence west on the north line of Sixtieth street, so called, to Kankakee avenue; thence north on the east line of Kankakee avenue to Fifty-first street; thence east to a point to the place of beginning; also, a piece of land commencing at the southeast corner of Kankakee avenue and Fifty-fifth street, running thence west, a strip two hundred feet wide, adjoining the north line of Fifty-fifth street, along said Fifty-fifth street to the line between ranges thirteen (13) and fourteen (14) east; thence north, east of and adjoining said line, a strip two hundred feet wide, to the Illinois and Michigan canal; also, a parcel of land beginning at the southwest corner of Douglas place and Kankakee avenue, running thence south, a strip of land one hundred and thirty-two feet wide

along the west side of said Kankakee avenue to a point one hundred and fifty feet south of the south line of Fifty-first street; also, a strip of land commencing at the intersection of Cottage Grove avenue and Fifty-first street, running thence east one hundred feet in width on each side of the center line of Fifty-first street, to a point one hundred feet east of the center line of Drexel avenue; also, a strip of land extending north from the intersection of Fifty-first street with Drexel avenue, one hundred feet in width on each side of the center line of said avenue to the north line of Forty-third street; thence northerly, a strip of land two hundred feet in width till it meets or intersects with Elm street in Cleaverville; thence northerly along said Elm street, two hundred feet in width, west from the east line of said street, to its intersection with Oakwood avenue; which said land and premises, when acquired by said Commissioners, as provided by this act, shall be held, managed and controlled by them and their successors, as a public park, for the recreation, health and benefit of the public, and free to all persons forever, subject to such necessary rules and regulations as shall, from time to time, be adopted by said Commissioners and their successors, for the well ordering and government of the same.

Sec. 5. **Condemnation.** In case the said Commissioners cannot agree with the owner or owners, lessees or occupants of any of the said real estate selected by them as aforesaid, they may proceed to procure the condemnation of the same in the manner prescribed in the act of the General Assembly of the State of Illinois, entitled "An Act to amend the law condemning right of way for the purpose of internal improvements," ap-

proved June 22, 1852, and the acts amendatory thereof, the provisions of which said act, and the several acts amendatory thereof, are hereby extended to the park and Park Commissioners to be created by virtue of this act.

Sec. 6. **Map.** When the title to the land selected for such park as herein provided shall have been acquired by said Commissioners, by gift, condemnation, or otherwise, it shall be the duty of such Commissioners to make, acknowledge, and file for record in the office of the Recorder of Deeds for Cook County a map, showing the said land, with a correct description, including section, township and range.

Sec. 7. **Assessors—Assessment, etc.** As soon as the amount required for the condemnation of the grounds selected for said park shall have been ascertained by said Commissioners, with reasonable certainty, they shall apply to the Judge of the Circuit Court of Cook County for the appointment of three freeholders of the County of Cook as park assessors. The Commissioners shall give notice in one or more of the daily newspapers published in the City of Chicago, of the time when such application will be made, and all parties interested may appear and be heard by the said judge, touching such appointment. At the time fixed for such application, the court, after hearing such persons as shall desire to be heard touching such appointment, shall nominate and appoint three assessors for the purposes provided in this act. The said assessors shall proceed to assess the amount so ascertained upon property in the towns of South Chicago, Hyde Park and Lake, in Cook County, deemed benefited by reason

of the improvement occasioned by the location of said park, as near as may be in proportion to the benefits resulting thereto: Provided, that the aggregate of said benefits is equal to or greater than the amount of said damages; and in case the aggregate of the benefits is less than the damages, then the balance of the damages over the benefits shall be paid from the fund provided for in section eight of this act. Upon entering on the duties of their office, the said assessors shall make oath before the Clerk of the said Circuit Court faithfully and impartially to discharge the duties of their office. They shall give at least ten days' notice in one of the said daily papers of the time and place of their meeting for the purpose of making said assessment, and may adjourn such meeting from time to time until the same shall be completed. In making the said assessment the said assessors shall estimate the value of the several lots, blocks or parcels of land deemed benefited by them as aforesaid, and shall include the same, together with the amount assessed as benefits, in the assessment roll. All parties interested may appear before said assessors, and may be heard touching any matter connected with the assessment. When the same shall be completed, it shall be signed by the assessors, and returned to the said Circuit Court, and shall be filed by the clerk thereof. The assessors shall thereupon give at least ten days' notice in one of the said daily papers, of the filing of said assessment roll, and they will, on a day therein named, apply to the said Circuit Court for confirmation of the same, which said notice shall be published at least ten days before the time fixed for such application. Said Circuit Court shall have power to revise, correct, amend, or confirm said assessment,

in whole or in part, and may make or order a new assessment, in whole or in part, and the same revise and confirm upon like notice. All parties interested may appear before said Circuit Court, either in person or by attorney, when such application shall be made, and may object to said assessment, either in whole or in part, provided all objections shall be in writing, and shall be filed at least three days before the time fixed for the application, and shall specify the lot, block, or parcels of land on behalf of which objection is made. After the confirmation of said assessment, the Clerk of said Circuit Court shall file a copy thereof, under the seal of his said court, with the Clerk of the County Court of Cook County, and said assessment shall be a lien upon the several lots, blocks, or parcels of land assessed for the benefits as aforesaid. Ten per cent. of the amount so ascertained shall be due and payable annually, and the Clerk of said Cook County Court shall include in the general tax warrants for each year, until the whole sum shall be paid, for the collection of State and county taxes in the said towns of South Chicago, Hyde Park and Lake, ten per cent. of the said assessments, in an appropriate column, to be termed "South Park Assessment," with the amount to be collected opposite the several lots, blocks, or parcels of land assessed as aforesaid; and like proceedings in all respects shall be had for enforcing the collection of the same as is now provided by law for the collection of State and county taxes. The money collected under the provisions of this section shall be paid to the treasurer of Cook County, for which he and his sureties shall be responsible, as fully as for any other moneys by him received as treasurer of Cook County, and be held by him

in the same manner and be subject to the same control and direction, as provided in this act for other moneys belonging to said corporation; and the treasurer of Cook County shall be entitled to receive one-half of one per cent. and no more, of said moneys as a full compensation for receiving and disbursing the same.

Sec. 8. **Bonds for deficiency.** For any deficiency arising through acquiring a title to said park, and for the payment of expenses of enclosing, maintaining and improving the park herein provided for, and the expenses, disbursements and charges in the premises, the said Commissioners shall have power to loan or borrow, from time to time, for such time as they shall deem expedient, a sum of money not exceeding two millions of dollars, and shall have authority to issue bonds, secured upon the said park and improvements, which bonds shall issue under the seal of said Commissioners, and shall be signed by said Commissioners, and countersigned by the secretary of said board, and bear interest not exceeding seven per cent. per annum; and it shall be the duty of said Commissioners to keep an accurate register of all bonds issued by them, showing the number, date and amount of each bond, and to whom the same was issued, and said register shall at all times be open to the investigation of the public; and for the payment of the principal and interest of said bonds the said park and improvements shall be irrevocably pledged, and the towns of South Chicago, Hyde Park and Lake shall be irrevocably bound; and said bonds may be sold by said Commissioners, upon such terms and for such prices as, in the judgment of said Commissioners, can be obtained for the same in cash.

Sec. 9. **Estimate for yearly tax.** The said Board of Park Commissioners shall annually, on or before the first day of December in each year, transmit to the Clerk of the County Court of Cook County, an estimate, in writing, of the amount of money, not exceeding in any one year three hundred thousand dollars, necessary for the payment of the interest on the bonds issued by said board, and that in addition thereto will be required for the improvement, maintenance, and government of said park during the current year; and the said clerk shall proceed to determine what per cent. said sum is on the taxable property of said towns, according to the several assessors' returns for the respective year, and shall, in the next general tax warrants for the collection of State and county taxes in said several towns, set down the amount chargeable to the several persons, corporations, lots, or parcels of ground, in a separate or appropriate column, and shall receive such compensation as now allowed by law; and the collectors respectively shall proceed to collect the same in the manner now provided by law for the collection of State and county taxes; and all the provisions of law, in respect to the collection of State and county taxes, and proceedings to enforce the same, so far as applicable, shall apply to said assessments and taxes. The said sum of money shall be placed by the treasurer of the said County of Cook, to the credit of said Board of Park Commissioners, and shall be drawn by said board from the county treasurer by warrant, signed by the president and secretary of the board, and countersigned by the auditor, to be appointed as aforesaid, and in no other way; the appointment of such auditor or comptroller having been first duly certified by such president

and secretary, and filed in the office of said treasurer of Cook County.

Sec. 10. **Closing highway.** It shall be lawful for said Commissioners to vacate and close up any and all public roads and highways, excepting railroads, which may pass through, divide or separate any lands selected or appropriated by them for the purpose of a park; and no such road shall be laid out through said park except as the said Commissioners shall lay out and construct.

Sec. 11. **No Commissioner to be interested in contracts.** No one of the said Commissioners shall be interested, either directly or indirectly, in any contract entered into by them with any other person; nor shall they be interested, directly or indirectly, in the purchase of any material to be used or applied in and about the uses and purposes contemplated in this act. And it shall be a misdemeanor for any Commissioner to be directly or indirectly interested, or in any way pecuniarily interested in any contract or any work of any kind whatever, connected with said park.

Sec. 12. **Commissioners removed.** The said Commissioners, or either of them, may be removed from office by the Judge of the Circuit Court of Cook County, upon the petition presented to him in term time or in vacation, by one hundred free-holders of said towns of South Chicago, Hyde Park, and Lake, if it shall appear, after hearing the proof before said judge, that the said Commissioners, or either of them, have been guilty of misdemeanor or malfeasance in office under this act; and if the said judge shall remove any two or more of said Commissioners from office for any cause, before the

expiration of their term of office, he is hereby empowered to appoint others in their stead, who shall fill such offices for and during the unexpired term of such Commissioners so removed.

Sec. 13. **Power to govern.** The said board shall have the full and exclusive power to govern, manage and direct said park; to lay out and regulate the same; to pass ordinances for the regulation and government thereof; to appoint such engineers, surveyors, clerks, and other officers, including a police force, as may be necessary; to define and prescribe their respective duties and authority; fix the amount of their compensation; and, generally, in regard to said park, they shall possess all the power and authority now by law conferred upon, or possessed by, the Common Council of the City of Chicago, in respect to the public squares and places in said city; and it shall be lawful for them to commence the improvement of said park as soon as they have obtained one hundred acres of the premises herein described.

Sec. 14. **Office vacant.** The office of any commissioner under this act, who shall not attend the meetings of the board for three successive months, after having been duly notified of said meetings, without leave of absence from said board, may, by said board, be declared vacant.

Sec. 15. **Taxation.** The real estate and personal property of said corporation shall be exempted from taxation and assessment.

Sec. 16. **Bonds and funds for park improvements.** All moneys belonging or to belong to any

park fund now in existence or hereafter to be created, and all bonds, and the proceeds from sales thereof now authorized or hereafter to be authorized to be issued by the City of Chicago for park purposes, in or to which the South Division of the City of Chicago may now or shall hereafter be entitled to a distributive share, shall be devoted and applied to the purchase or maintenance and improvement of the park contemplated and created by this act, under the direction and control of the Commissioners provided for in this act.

Sec. 17. **Bonds received in payment of assessment.** The bonds to be issued under this act may be received in payment of any assessment, whether such bond or assessment shall have become due or not, upon such terms as shall be fair, just and equitable; and upon the payment of any assessment, the land upon which the same is assessed shall be free from any lien or liability to pay the same; and such payment shall be reported to the County Clerk of Cook County, and entered upon the record of assessment.

Sec. 18. **Election, judges, clerks, voters.** There shall be an election held in the towns of South Chicago, Hyde Park, and Lake, on the fourth Tuesday in March next after the passage of this act, at which election the legal voters voting at such election shall vote for or against this act. The tickets shall be printed or written, "For Park" or "Against Park;" and if a majority of the votes cast on the subject of park shall be "For Park," then this act shall take effect and be in force, but not otherwise. The Clerk of the County Court of Cook County shall designate the places of holding such election, and give notice thereof in one or more of the daily papers published in the

County of Cook, at least six days preceding such election, and shall supply the judges thereof with the necessary books, papers, and boxes as in other cases of election, and there shall be one polling or voting place in each voting precinct in said towns, as the same were fixed at the last general election in the County of Cook. The persons who acted as judges or inspectors of election in the several precincts of said towns, at the last general election in Cook County, shall be the judges or inspectors of this election. In case the judges or inspectors of election shall not attend at the time for opening the polls, such judges or inspectors shall be chosen by the legal voters present. The clerks shall be appointed as provided in elections for county officers. The polls shall be opened and closed, and the election conducted as elections for county officers. All legal voters of said towns shall be entitled to vote at such election, without any new registration; and the judges or inspectors of such election shall use the registry list made for the general election in November, 1868: Provided, That whenever any person whose name is not on the registry list shall offer his vote at such election, the judges or inspectors shall require the same evidence of his qualifications as now provided by law. The said judges of election shall immediately after the closing of the polls, count the ballots, fill out and sign the returns and tally sheets, as now provided by law in all other elections, and return the poll books and ballots to the Clerk of the County Court, as in other cases of election. The votes shall be canvassed in the manner provided by law for the election of State and county officers. The Clerk of the County Court of Cook County shall, immediately after such canvass, cause a

certificate of the result of such election to be filed in the office of the Secretary of State, which shall be conclusive evidence of the result of said election.

Sec. 19. This act shall be a public act, and shall take effect and be in force from and after its passage.

NOTE.

In the case of People ex rel. vs. Salomon, 51 Ill., 37, it was held that under the act of February 24, 1869, providing for the location and maintenance of a park for the towns of South Chicago, Hyde Park and Lake, those towns were erected into a park district, and the people of the towns affected by the act, having, by a vote, accepted its provisions, the Board of South Park Commissioners was thereby created and became a municipal corporation, to which was committed the entire control of the park, and in which it was competent for the Legislature to vest the power to assess and collect taxes within the park district so created, for the special corporate purpose of its creation, and that it was the duty of the County Clerk of Cook County to receive and file an estimate, made by the Commissioners, of the amount of money required for park purposes and to place that amount in the proper tax warrants to be collected from the tax payers of the district, as provided in the acts of the Legislature of 1869.

The Court held in this case that the South Park Commissioners were, by the acts of the Legislature creating it and the vote of the people in the three towns accepting it, constituted into and made the corporate authority of the Towns of South Chicago, Hyde Park and Lake, for the purpose of assessing and collecting taxes for the purposes of establishing and maintaining the South Park system. See also Dunham vs. People, 96 Ills., 331.

AN ACT AMENDATORY OF AND SUPPLEMENTARY TO AN ACT TO PROVIDE FOR THE LOCATION AND MAINTENANCE OF A PARK FOR THE TOWNS OF SOUTH CHICAGO, HYDE PARK AND LAKE, APPROVED FEBRUARY 24, 1869. [APPROVED APRIL 16, 1869.]

Section 1. **Lands taken.** Be it enacted by the People of the State of Illinois, represented in General Assembly, That the portion of the fourth section of the act to which this is amendatory and supplemental, which is in the words "A piece of land commencing at the southeast corner of Kankakee avenue and Fifty-fifth street; running thence west, a strip two hundred feet wide adjoining the north line of Fifty-fifth street," is hereby amended by substituting in lieu thereof the words "A piece of land commencing at the northeast corner of Kankakee avenue and Fifty-fifth street, running thence west a strip two hundred feet wide south of and adjoining the north line of said Fifty-fifth street."

Sec. 2. **Bonds issued.** The bonds authorized to be issued by the act of which this is amendatory and supplemental, may be issued, sold, and the proceeds applied for acquiring said lands, and for any and all purposes in the said act mentioned. Said bonds shall be retired and cancelled as fast as the money for that purpose can be obtained, by the collection of the money due upon the special assessment provided for in section seven of the act hereinbefore mentioned, and a sufficient amount of any bonds that may be issued by the City of Chicago under any law now in force or hereinafter enacted, and received by said Commissioners, shall be applied to the purpose of retiring the bonds authorized by said act.

Sec. 3. The ninth section of said act is hereby so amended that the words "during the current year," shall read "during the next succeeding year."

Sec. 4. **Removal of commissioners.** That the twelfth section of said act be and the same is hereby amended so as to read as follows: The said Commissioners, or either of them, may be removed from office by the Judge of the Circuit Court of Cook County, upon the petition presented to him, in term time or in vacation, by one hundred freeholders of said towns of South Chicago, Hyde Park and Lake, if it shall appear, after hearing proof before said judge, that the said Commissioners, or either of them, have been guilty of misdemeanor or malfeasance in office under this act; and if the said judge shall remove any one or more of said Commissioners from office for any cause before the expiration of their term of office, he is hereby authorized and empowered to fill the vacancy or vacancies thus created by appointing other Commissioners in their place, who shall serve during the unexpired terms of the Commissioners so removed.

Sec. 5. **Adjoining streets.** The Commissioners to be appointed under said act are hereby vested with the same powers and duties as are conferred by said act in relation to lands designated for parks, over all streets running longitudinally along and adjoining any and all of the proposed parks, or strips of land designated in said original act, as are conferred by said act in relation to such parks and strips of land, as may be necessary to improve and keep in repair the same, in connection with the said parks or strips of land, without obstructing the fences or other structures, free access

to the said streets from existing roads and streets, and by owners of land abutting on the same.

Sec. 6. Election. The elections held in the towns of South Chicago, Hyde Park and Lake, on the twenty-third day of March, A. D. 1869, under and by virtue of the eighteenth section of the act to which this is an amendment, are hereby legalized and confirmed, and said act shall be held and deemed to have been regularly and legally adopted by the legal voters of said towns, and shall remain in full force and effect, and shall be liberally construed in all courts with a view to carry out and enforce the intent and meaning of the same.

Sec. 7. This act is hereby declared a public act, and shall take effect and be in full force from and after its passage.

COMPLETION AND MANAGEMENT.

AN ACT TO ENABLE THE CORPORATE AUTHORITIES OF TWO OR MORE TOWNS, FOR PARK PURPOSES, TO ISSUE BONDS IN RENEWAL OF BONDS HERETOFORE ISSUED BY THEM, AND TO PROVIDE FOR THE PAYMENT OF THE SAME: TO MAKE, REVISE AND COLLECT A SPECIAL ASSESSMENT ON CONTIGUOUS PROPERTY FOR BENEFITS BY REASON OF THE LOCATION OF PARKS AND BOULEVARDS AND TO MAKE NECESSARY CHANGES IN THEIR LOCATION. [APPROVED JUNE 16, 1871. IN FORCE JULY 1, 1871.]

Section 1. **Park Commissioners corporate authorities.** That persons who have been appointed or otherwise selected, as Commissioners or officers under and in pursuance of any act or acts of the General Assembly of this State which has or have been submitted to the legal voters of one or more towns, and by them respectively adopted, for the purpose of locating, establishing,

enclosing, improving or maintaining any public park, boulevard, driveway, highway or other public work, or improvement, are declared to be corporate authorities of such towns for the purposes named in such act or acts; whether such persons are authorized to discharge the duties imposed upon them as a corporation or otherwise.

Sec. 2. **New bonds issuable for old park bonds.** Corporate authorities of towns who have been authorized by law to issue bonds for the purpose of establishing, inclosing, improving or maintaining any public park, boulevard, driveway, highway, or other public work, or improvement in such towns, may issue new bonds, payable not more than twenty years from the date thereof, and the same exchange for bonds issued by such corporate authorities for the same purpose. The said corporate authorities may purchase any bonds issued by them, at any rate not exceeding the par value thereof, and issue in lieu of the same, bonds payable as aforesaid; such new bonds shall be issued under the seal of said corporate authorities, if they have one, and shall be signed by them and countersigned by their Secretary, if they have one, and bear interest not exceeding seven per cent. per annum, payable semi-annually; and the principal and interest may be made payable at any place or places, within or without this State. The said bonds shall also contain a provision securing to said corporate authorities the right, if the said bonds or a sufficient number of them, cannot be purchased at not exceeding one per cent. above the par value thereof, for the yearly sinking fund hereinafter provided, to pay and retire at the end of each year after the date of said bonds, or so soon thereafter as due

notice shall have been given, such number of the same, as may be necessary for that purpose, to be selected by lot by said corporate authorities, in the manner hereinafter provided.—It shall be the duty of said corporate authorities to keep an accurate register of all bonds issued by them, showing the number, date and amount of each bond, and said register shall, at all times, be open to the inspection of the public.—The public park, boulevard, driveway, highway, or other public work or improvement, on account of which said bonds may be issued, shall be irrevocably pledged for the payment of the principal and interest thereof, and the town in which such public park, boulevard, driveway, highway, or other public work or improvement are in whole or in part situated, shall also be irrevocably bound for the payment of the same. Bonds issued under this act may be exchanged as aforesaid, or sold by said corporate authorities for such prices as they may deem expedient, but the proceeds of bonds sold shall only be used for the payment or purchase of outstanding bonds which cannot be exchanged.—The bonds received in exchange or purchased as aforesaid shall be cancelled, whereof an entry shall be made upon the bond register of said corporate authorities, showing the date, number and amount of each bond cancelled; and no bonds shall be issued under this act exceeding the amount already issued, nor contrary to the provisions of section twelve, article nine, of the Constitution of this State, nor until provision is made by law for the collection of a direct annual tax sufficient to pay the interest on such bonds as it falls due, and also to pay and discharge the principal thereof on or before the time when the same shall become due. And whenever

any provision has been made by any act or acts of the general assembly of this State for the assessment and collection of an annual tax in order to pay the interest on bonds issued by said corporate authorities, the provisions of said act or acts are hereby continued and extended, so as to require the assessment and collection of said annual tax, not only for the purpose of said act or acts named, but for the payment of the interest on any bonds which may be issued under this act, and to provide for the annual payment of a part of the principal thereof. Officers collecting said annual tax are required at the end of each month, to pay to said corporate authorities, so much of said tax as has been collected, and for collecting and paying over of said annual tax, no compensation shall be allowed except the salary allowed by law to the collector thereof; and if, for any cause, any portion of said annual tax required to be assessed and collected as aforesaid, shall for any one or more years fail to be collected, the said corporate authorities are required to add such deficiency or deficiencies to the amount required to be assessed in the succeeding year or years, and the amount of such deficiency or deficiencies shall be by the proper officers assessed and collected in the same manner as said annual tax, and as a part thereof.—The said corporate authorities are required to cause said tax and any deficiencies occurring as aforesaid, to be assessed and collected as required by law, and to apply sufficient thereof from time to time to pay the interest upon said bonds issued, and which may be issued as the said interest shall fall due.—And at the end of the year after the date of any bonds issued under this act, and of every year thereafter, the said corporate authorities

shall, from the proceeds of said annual tax, set apart not less than three and one-fourth per cent. of the whole amount of bonds issued under this act, and a sum equal to the annual interest on said sum at the rate of interest borne by said bonds; which sum shall be applied by said corporate authorities in the purchase of bonds issued by them, if the same can be obtained at not exceeding one per cent. above the par value thereof; and if the said corporate authorities cannot obtain said bonds or sufficient of them to absorb said fund at that price, then from the outstanding bonds issued under this act, and not theretofore selected, shall be selected by lot, so many thereof, as may be required to absorb the funds so set apart for a sinking fund. The said selection shall be made by said corporate authorities at the end of each successive year after the date of said bonds, or within one month thereafter, in the presence of one of the Judges of the Circuit Court of said county, who with said corporate authorities shall make and sign duplicate certificates of the result thereof, one of which shall be filed in the office of the said corporate authorities, and the other in the office of the County Clerk of said county. Notice of said election and of the numbers of the bonds so selected, shall be forthwith given by said corporate authorities in one or more newspapers published in said county and in the City of New York, and if the owners of said bonds shall be registered, notice to such owners shall also be given by letter mailed to the address of such owner at his place of residence, if known or shown upon said register. The interest on bonds selected by lot, as aforesaid, shall cease from and after the time when the semi-annual interest on the same shall fall due next after the said

selection is made; and, from the sums so set apart for a sinking fund, shall be paid the bonds so selected by lot as aforesaid, with interest until payment, or until the same shall cease as aforesaid. The funds so set apart for a sinking fund shall not be used for any purpose other than purchasing bonds to be cancelled, and paying bonds selected as aforesaid for the same purpose. The bonds so selected, when paid, and the bonds purchased, shall be cancelled, a certificate whereof, stating the number, date and amount of said cancelled bonds, shall from time to time be made by said corporate authorities, and filed in the office of the County Clerk of said county.

Sec. 3. **Assessment, proceedings thereon.** Corporate authorities of one or more towns who have been authorized to make, establish or maintain any local improvement, in whole or in part, by special assessment or special taxation of contiguous property, or otherwise, may estimate as near as may be the probable cost of the lands, taken or to be taken or purchased for such improvement, or revise, enlarge and correct any estimate theretofore made, and make a new one of the same, and of the expenses of obtaining said lands, together with the cost of making and collecting a special assessment to pay the cost of said lands and expenses, and shall apportion the estimated costs of said lands, expenses and the cost of assessment as aforesaid, upon the lands situated in said towns, by said corporate authorities deemed benefited by reason of said local improvement, as near as may be, in proportion to the benefit resulting thereto. And if said corporate authorities shall not deem the lands in said towns benefited to the full extent of the estimated cost of the lands,

taken or to be taken or purchased as aforesaid, and the costs and expenses aforesaid, then the said corporate authorities shall in like manner apportion so much thereof as they shall deem the lands in said town benefited.—The said corporate authorities shall give at least ten days notice in one or more newspapers published in the county in which such towns are situated, of the time and place of their meeting for the purpose of making said assessment, and may adjourn such meeting from time to time, until the same shall be completed.

In making the said assessment, the lots, blocks and parcels of land deemed benefited, as aforesaid, shall be assessed, according to the descriptions and divisions thereof appearing of record in said county, on the day of the said first meeting, for the purpose of making the said assessment: but no error in the description or division of any lot, block or parcel of land, in making said assessment, shall vitiate the same, provided the premises are described with substantial accuracy. The said corporate authorities shall estimate the value of the several lots, blocks or parcels of land deemed by them benefited as aforesaid, and shall include the same, together with the amount assessed for benefits, in an assessment book or roll.—All parties interested may appear before said corporate authorities, and may be heard touching any matter connected with the assessment.

When the same shall be completed it shall be signed by the said corporate authorities, or by a majority thereof, and returned to the Circuit Court of the county in which such towns are situated, and filed with the clerk of said court,—whereupon the said corporate authorities shall give at least ten days' notice of the filing

of said assessment roll, and that they will on a day named, apply to the said Circuit Court for confirmation of the same. Said notice shall be signed by said corporate authorities, or by a majority of them, and shall state the general nature of the improvement for which said assessment was made, and the towns, township, range and section in which the same is situated, without further description of its locality; and shall also state when the said assessment was filed in said court and the day when the said corporate authorities will apply to said court for confirmation of the same; but said notice need not contain a description of the lots, blocks or parcels of land assessed, nor the amount assessed upon them, or any of them, nor mention any particular law or laws of the State under which said assessment was made; which said notice shall be published in one or more newspapers published in the county in which said towns are situated, at least ten days before the time therein named for such application. When it shall appear to said court that proper notice has been given, it shall have power to hear, adjudge and determine the matter of said application, and all matters connected therewith. Any person interested in any lot, block or parcel of land assessed, may appear therein, in person or by attorney, and object to said assessment: *Provided*, All objections shall be in writing and be filed in said court at least three days before the time fixed for said application, and shall specify the lots, blocks or parcels of land wherein the said person objecting is interested, in respect whereof objections are made, and the grounds thereof; said court shall have power to revise, correct, amend and confirm the said assessment, in whole or in part, and may, without

further notice or order, make a new assessment in whole or in part, and the same confirm, or may order a new assessment to be made in whole or in part, and the same may revise, correct, amend and confirm upon like notice as aforesaid, or upon such notice as it may prescribe, but no order to make a new assessment in part shall hinder or delay the confirmation of the residue, or the collection thereof. From and after the time the amount of any assessment shall be ascertained and confirmed by said court, as to any lot, block or parcel of land so assessed, the amount thereof shall be a lien thereon, and may be paid at any time. The said court shall divide the amount of said assessment into installments, and fix the amount of the first installment, but the first installment shall not exceed twenty-five (25) per cent. of the said assessment.

The portion of said assessment, after deducting therefrom said first installment, shall be divided by the court into seven equal installments, which said installments shall be payable annually thereafter, and the court shall fix the time on or before which each of said installments shall severally be paid. All installments shall bear interest at the rate of seven per cent. per annum from the time on or before which the payment of the first one is to be made. The said corporate authorities, or their officer, from time to time duly authorized by them, and to be mentioned in some order or orders of said court, which it may from time to time make, shall have full power and authority to collect such assessment from the owners of such lands, and to give all proper receipts and discharges therefor. The orders of said court shall be conclusive evidence of the regularity of all previous proceedings necessary to the validity

thereof, and of all matters and things therein recited as having been heard and adjudged by said court. It shall be the duty of the clerk of said court to enter in said assessment book or books, or upon said assessment roll, all revisions, corrections and amendments of such assessment, and all new assessments made by the court, and all revisions, corrections and amendments of the same, and all orders for new assessments and all new assessments made in pursuance of such order, and all revisions, corrections and amendments of the same, together with all orders of the court in said proceedings.

The said corporate authorities are required to furnish to the clerk of said court a duplicate copy of said assessment book or books, or roll, wherein shall be entered from time to time by said corporate authorities the several matters and things entered in said original assessment book or books, or upon said original assessment roll, which duplicate and the entries thereon, shall from time to time, as they are made, be certified by the clerk of said court, under the seal thereof, as a true copy of the original, and such duplicate copy of the assessment book or books, or roll, certified as aforesaid, shall be sufficient authority to said corporate authorities, or to their officer designated therein, to collect any assessment therein confirmed as aforesaid, and to receipt for and discharge the same. It shall be the duty of the officer having the custody of said original assessment book or books, or roll, to enter thereon from such receipt or discharge the fact of such payment, which entry shall be evidence of the same. After the proceedings in the said Circuit Court shall be finally concluded and terminated, it shall be the duty of the clerk thereof to deposit said original assessment book or books,

or roll, and all proceedings relative to the same, duly entered as aforesaid, and properly certified, with the County Clerk of the county in which such towns are situated.

In case said assessment, or any part thereof, so confirmed as aforesaid, shall not be paid at the time or times fixed therefor by the orders of said Circuit Court, it shall be the duty of the corporate authorities to return to the County Treasurer, or to some general officer of said county having authority to receive State and county taxes, a list of the lots, blocks and parcels of land so assessed, upon which said assessment shall remain unpaid, and the amount unpaid upon each lot, block or parcel of land, and from and after the return of such delinquent list, the said County Treasurer or other general officer of said county having authority to receive said State and county taxes, as well as said corporate authorities, or their officer, shall have authority to receive any of said unpaid assessments, and to give all proper receipts and discharges therefor. It shall also be the duty of said corporate authorities to make and certify to the County Court in which such towns are situated a return, therein designating the said delinquent lands and the due and unpaid assessments against the same; and thereupon the said corporate authorities shall give notice by publication in one or more of said newspapers, that they will, on a day in said notice named, apply to said County Court for judgment against all delinquent lots, blocks or parcels of land upon which said assessment, or any part thereof, shall be unpaid. Such notice may be general, but must contain a description of the lots, blocks or parcels of land and the names of parties interested, if known,

and the amount due and unpaid, which notice shall be published in one or more of said newspapers at least ten days before the time fixed for making said application, and the said application may be made on the day named, or any day of the same term by the permission of said court. The said corporate authorities and the said County Treasurer, or other general officer of said county, to whom said delinquent list shall have been returned, shall respectively report to said court the respective lots, blocks and parcels of land upon which said assessment has been paid to them respectively, after the return of said delinquent lists as aforesaid. And thereupon such proceedings, orders and judgments shall be had, as nearly as may be, as in cases of delinquent lands whereof judgment is prayed for the non-payment of State and county taxes; and the said judgments shall be conclusive of the regularity of all matters necessary to the validity thereof, excepting the giving of said notice of the application for judgment. After said notice for application for judgment shall have been published, the cost of publication shall be added to the assessment, as in the case of State and county taxes. After judgment shall have been rendered, the same shall be executed in the same manner, as nearly as may be, as is or may be provided by law for executing judgments for State and county taxes; but no judgment or sale of any lot, block or parcel of land so assessed for any one installment of said assessment, shall discharge the premises from any subsequent installment of the assessment, and proceedings for the non-payment of subsequent installments may be had in the same manner as if no default had been made in previous ones. All moneys collected by said treasurer

or other general officer of said county, and all moneys realized from the sales of said lands upon judgments as aforesaid, shall at once be paid over to said corporate authorities, who shall execute a proper receipt therefor. The said County Treasurer or other general officer shall not be entitled to any compensation for receiving and disbursing of moneys by him under this act, or for services rendered by him as herein required, except the salary allowed him by law. Any and all moneys collected and obtained upon or out of said assessments, may be applied by the said corporate authorities to and for any of the uses and purposes named or intended by the act or acts under which they are organized. And if the proceeds of said assessment shall amount to a greater sum than the cost of the lands, expenses and cost of assessment and collection as aforesaid, the overplus shall be applied by said corporate authorities toward making the improvement which they are authorized to make: Provided, that such excess shall not exceed the sum of twenty-five thousand dollars. If it exceeds that sum, then and in that case it shall be refunded pro rata to the parties paying such assessment. Any and all such corporate authorities as aforesaid may avail themselves of the provisions and privileges of this act, notwithstanding any provisions in the several acts creating them.

Sec. 4. **Altering location or boundaries—Damages.** Corporate authorities of towns having the control or supervision of any public park, boulevard, driveway or highway, which has been located in pursuance of a vote of the people of such towns, desiring to alter or change the location of the same, or of any part thereof, or of any of the boundary lines of the same, may, by pe-

tition, in writing, apply to the Circuit Court of the county in which such towns are situated, for leave to make such alteration or change. Notice of such application shall be given by said corporate authorities in some newspaper published in said county, at least ten days before the day named therein, when said application will be made, all persons interested may appear before said Circuit Court, either in person or by attorney, when said application shall be made, and object to the granting thereof. After hearing all persons interested, if said court shall deem the granting of said application to be for the public interest, it shall make an order granting to said corporate authorities leave to make such alteration or change, or such part thereof, as it may deem for the public good, and granting power to acquire by purchase or under any law of the State for acquiring lands for public use, such additional lands as such change or alteration may, in the judgment of said court, render necessary; and if by reason of any such change or alteration, any parcel of land shall no longer be deemed necessary or useful for the purpose of said park, boulevard, driveway or highway, the said court may direct the same to be sold and conveyed for the use of said park upon such terms and conditions as it may think proper. Damages sustained by any person injuriously affected by reason of any such change or alteration, shall be ascertained and paid in the same manner as in other cases of the exercise of the right of eminent domain. The said corporate authorities shall make, acknowledge and file for record in the office of the recorder of deeds for such county a map showing any change or alteration made under any order of court, as aforesaid; Provided, that no application shall be

made under or by virtue of this section after the first day of July, A. D. one thousand eight hundred and seventy-two, nor shall any change be made affecting the general location of any such park after said date.

Sec. 5. **Application of surplus funds.—Report.** When any town, towns or corporation is subject to taxation or special assessment for the improvement of any park or parks, approached or connected by boulevard or boulevards, the money so raised by taxation or special assessment remaining unexpended after defraying the expense for improving the boulevard or boulevards (the money so raised by taxation or special assessment remaining unexpended after defraying the expense for improving the boulevard or boulevards) to said park or parks, shall be expended upon the parks (if more than one) in said town, towns or corporation, pro rata, according to the number of acres in each, unless already sufficiently improved, and it is hereby made the duty of the Board of Commissioners of any park or parks to cause the money to be so expended. The Commissioners having in charge the maintenance and improvement of any public park, or parks, boulevard, driveway, highway or other public improvement under or by virtue of this act, shall, on the first day of December, A. D. one thousand eight hundred and seventy-one, and annually thereafter, submit to the Board of County Commissioners or Board of Supervisors in the county in which the same may be located, a written or printed report of all their acts and doings in relation to the parks and other improvements under their supervision or control.

Sec. 6. All laws and acts inconsistent with this act are hereby repealed.

NOTE.

In the case of Dunham vs. People ex rel., 96 Ill., 331, it was held that the people, by voting for the park act in 1869, made the South Park Commissioners corporate authorities for the towns of South Chicago, Hyde Park and Lake for the purpose of assessing and collecting the requisite tax upon the property within the towns, and that, therefore, the South Park Commissioners, under the law of 1871, were to be recognized as the proper corporate authorities of these three towns for the purpose of levying a special assessment to lay out the park system as a local improvement, and that the South Park Commissioners were proper corporate authorities of the three towns named, within the meaning of the constitution authorizing corporate authorities of cities, towns, etc., to do certain acts, but not naming "Park Commissioners" in terms.

In the case of the People, ex rel., vs. Brislin, 80 Ill., 423, it was held that the act approved June 16, 1871, authorizing the Park Commissioners to issue bonds in renewal of bonds theretofore issued by them, and to provide for the payment of the same, and make, revise and collect a special assessment on contiguous property for benefits, by reason of the location of parks, boulevards, etc., and making changes in the manner of the special assessment was valid, although not submitted to a vote of the people. The Court said:

"The park district, when established in pursuance of the act creating it, became a muncipality for certain purposes, and as such, came within the domain of legislation.

"The powers of the corporate authorities of this municipality are subservient to the legislative power, precisely as in the case of other municipalities, and are not interfered with by the present State constitution." * * *

"We think it is a fair deduction from all the constitutional pro-

visions, and, from the very nature of our government, changes demanded by the exigency of the times, in regard to municipal corporations, are within the domain of ordinary legislation."

In the case of West Chicago Park Commissioners vs. the City of Chicago, 152 Ill., 392, the Court modified its former opinions and held that the various boards of Park Commissioners were municipal corporations and not quasi municipal corporations, and that as such municipal corporations, they have full and complete power within their jurisdiction for park purposes, which power is exclusive. The Court said, in discussing the question (page 406):

"It follows that the power of the park board over all these parks, boulevards and streets, for the purposes prescribed by these statutes, is plenary, while that of the city is wholly excluded. And this exclusion, so far as it relates to any power on the part of the city to govern, manage, control or interfere with these parks, boulevards and streets as such, is as complete as it would have been if the parks, boulevards and streets had been wholly withdrawn from the territorial limits of the city. Indeed, the legal effect of the various park acts would seem to be to take them out of the territorial jurisdiction of the city, so that, so far as the power of the city in relation to them is concerned, the corporate organization of the city is practically dissolved." * * *

"We do not intend to intimate that, in the exercise of other municipal powers and functions, the city is excluded from jurisdiction over the park property, but only that, so far as relates to the laying out, improvement, management and control of the parks, the jurisdiction of the park board is exclusive. For all the purposes, then, of laying out, improving and maintaining parks, boulevards, streets and like public grounds, the city and the Park Commissioners occupy the legal position of two independent and co-equal municipalities, each vested with exclusive jurisdiction over the public grounds committed to its care, as trustee for the public. Neither can encroach upon the territorial jurisdiction of the other, but they stand, so far as these public grounds are concerned, in substantially the same legal relation to each other as though their territorial limits embraced adjoining but wholly separate areas. So far, then, as relates to all questions of street improvements, the West Chicago parks and boulevards are no more to be considered as a part of the City of Chicago than they would be if they were situated within the adjoining city of Evanston."

DRIVES TO PUBLIC PARKS.

AN ACT TO ENABLE PARK COMMISSIONERS AND CORPORATE AUTHORITIES TO TAKE, REGULATE, CONTROL, AND IMPROVE PUBLIC STREETS LEADING TO PUBLIC PARKS, TO PAY FOR THE IMPROVEMENT THEREOF, AND IN THAT BEHALF TO MAKE AND COLLECT A SPECIAL ASSESSMENT OR SPECIAL TAX ON CONTIGUOUS PROPERTY. [APPROVED AND IN FORCE APRIL 9, 1879.]

Section 1. **Power to take streets—Consents.** That every Board of Park Commissioners shall have power to connect any public park, boulevard or driveway under its control with any part of any incorporated city, town or village, by selecting and taking any connecting street or streets, or parts thereof, leading to such park: Provided, that the street so selected and taken, so far as taken, shall be within the district or territory the property of which shall be taxable for the maintenance of such park. And, provided further, that the consent of the corporate authorities having control of any such street or streets so far as taken, and also the consent in writing of the owners of a majority of the frontage of the lots and lands abutting on such street or streets so far as taken, shall be first obtained. And, provided further, that such connection or improvement shall embrace only such street or streets as are necessary to form one continuous improvement.

Sec. 2. **Assessment for improvement.** That such Board of Park Commissioners or such corporate authorities as are by law authorized to levy taxes or assessments for the maintenance of such parks, shall have power to improve such street or streets as they may deem best, and for that purpose they are hereby author-

ized to pay for the improvement thereof, and from time to time to levy or cause to be levied and collected a special tax or assessment on contiguous property abutting upon such streets so improved, for a sum of money not exceeding the estimated cost of such first improvement or improvements as shall be ordered and estimated by such Board of Park Commissioners, but not for any subsequent repairs thereof, and to that end such board or corporate authorities shall have all the power and authority now or hereafter granted to them respectively relative to the levy, assessment and collection of taxes or assessments for corporate purposes. And such special taxes or assessments as are hereby authorized may be divided into not exceeding four annual installments, bearing interest at the rate of 6 per cent. per annum from the date of confirmation until paid. And the said assessments or installments thereof shall be collected and enforced in the same manner as is provided by law for the collection and enforcement of other taxes or assessments, for or on account of such corporate bodies or boards, so far as the same are applicable.

Sec. 3. **Power of commissioners.** Such Park Boards shall have the same power and control over the parts of streets taken under this act as are or may be by the law vested in them of and concerning the parks, boulevards or driveways under their control.

Sec. 4. **Reversion to corporate authorities—When.** In case any such streets or parts thereof shall pass from the control of any such Park Board, the power and authority over the same, granted or authorized by this act, shall revert to the proper corporate

authorities of such city, town or village respectively as aforesaid.

Sec. 5. **Municipalities may confer control.** Any city, town or village in this State shall have full power and authority to invest any of such Park Boards with the right to control, improve and maintain any of the streets of such city, town or village for the purpose of carrying out the provisions of this act.

Sec. 6. **Emergency.** Whereas, there is a necessity for the immediate construction of the improvement contemplated in this act, therefore an emergency exists, and this act shall take effect and be in force from and after its passage.

(For Supreme Court decisions see post, page 95.)

AN ACT TO AMEND SECTION TWO (2) OF AN ACT ENTITLED, "AN ACT TO ENABLE PARK COMMISSIONERS OR CORPORATE AUTHORITIES TO TAKE, REGULATE, CONTROL AND IMPROVE PUBLIC STREETS LEADING TO PUBLIC PARKS, TO PAY FOR THE IMPROVEMENT THEREOF, AND IN THAT BEHALF TO MAKE AND COLLECT SPECIAL ASSESSMENT OR SPECIAL TAX ON CONTIGUOUS PROPERTY," APPROVED AND IN FORCE APRIL 9, 1879, AS APPROVED [AMENDED] JUNE 27, 1885. [APPROVED JUNE 16, 1887. IN FORCE JULY 1, 1887.]

Section 1. **Assessment.** That section two (2) of an act entitled "An Act to enable Park Commissioners or corporate authorities to take, regulate, control and improve public streets leading to public parks, to pay for the improvement thereof, and in that behalf to make and collect a special assessment or special tax on contiguous property," approved and in force April 9, 1879, as approved [amended] June 27, 1885, be and the same is hereby amended so as to read as follows:

Sec. 2. That such Park Commissioners or such corporate authorities as are by law authorized to levy taxes or assessments for the maintenance of such parks shall have power to improve, maintain and repair such street or streets in such manner as they may deem best, and for that purpose they are hereby authorized to pay for the improvement thereof, and from time to time to levy or cause to be levied and collected a special tax or assessment on contiguous property abutting upon such street so improved for a sum of money not exceeding the estimated cost of such first improvement or improvements as shall be ordered and estimated by such Board of Park Commissioners, but not for any subsequent care, maintenance or repair thereof; and to that end such board or corporate authorities shall have power and authority now or hereafter granted to them respectively, relative to the levy, assessment and collection of taxes or assessments for corporate purposes. And such special tax or assessments as are hereby authorized may be divided into not exceeding four annual installments, bearing interest at the rate of six per cent. per annum from the date of confirmation until paid; and the assessment or installments thereof shall be collected and enforced in the same manner as is provided by law for the collection and enforcement of other taxes or assessments for, or on account of, such corporate bodies or boards as aforesaid, so far as the same are applicable.

AN ACT TO AMEND SECTION ONE (1) OF AN ACT ENTITLED "AN ACT TO ENABLE PARK COMMISSIONERS OR CORPORATE AUTHORITIES TO TAKE, REGULATE, CONTROL AND IMPROVE PUBLIC STREETS LEADING TO PUBLIC PARKS, TO PAY FOR THE IMPROVEMENT THEREOF, AND IN THAT BEHALF TO MAKE AND COLLECT A SPECIAL ASSESSMENT OR SPECIAL TAX ON CONTIGUOUS PROPERTY," APPROVED AND IN FORCE APRIL 9, 1879, AS AMENDED BY AN ACT APPROVED JUNE 27, 1885, AND IN FORCE JULY 1, 1885. [APPROVED JUNE 17, 1895. IN FORCE JULY 1, 1895.]

Section 1. **Power to take streets—Consents.** That section one (1) of an act entitled "An Act to enable Park Commissioners or corporate authorities to take, regulate, control and improve public streets leading to public parks, to pay for the improvement thereof, and in that behalf to make and collect a special assessment or special tax on contiguous property," approved and in force April 9, 1879, as amended by an act approved June 27, 1885, and in force July 1, 1885, be and the same is hereby amended so as to read as follows:

Sec. 1. That every board of Park Commissioners shall have power to connect any public park, boulevard or driveway under its control with any part of any incorporated city, town or village, by selecting and taking any connecting street or streets or part thereof leading to such park; and shall also have power to accept and add to any such park any street or part thereof which adjoins and runs parallel with any boundary line of the same. Provided, that the streets so selected and taken so far as taken shall lie within the district or territory, the property of which shall be taxable for the maintenance of such parks. And, provided further, that the consent of the corporate authorities having control of any such street or streets so far as selected and taken, and also the consent in writing of the own-

ers of a majority of the frontage of the lots and lands abutting on such street or streets so far as taken shall be first obtained. And, provided further, that every Board of Park Commissioners who shall have exercised the power hereinabove granted to select and take streets, or parts of streets, for the purpose of connecting any public park, boulevard or driveway under its control with any part of any incorporated city, town or village, shall have the power to abandon and surrender over any street, or part of any street, forming the whole or any part of such connection so made, to the proper corporate authorities of the city, village, or town respectively to which the control of any such street or part of a street so abandoned would revert, and for the purpose of connecting the same points or of making any portion of such connection, to select and take in place of any streets, street or part of a street so surrendered, any other and different streets, street or part of a street, which may be desirable and expedient for making the said connection; but such power shall only be exercised upon the consent first obtained of the proper corporate authorities to whom the control of the streets, street or parts of a street, so far as abandoned would revert, and of the proper corporate authorities having control of the streets, street or part of a street, so far as proposed to be taken, and upon the consent in writing first obtained of the owners of a majority of the frontage of the lots and lands abutting on the streets, street or part of a street, so far as abandoned, and upon the consent in writing first obtained of the owners of a majority of the frontage of the lots and lands abutting on the streets, street or part of a street, so far as proposed to be taken.

AN ACT TO ENABLE PARK COMMISSIONERS OR PARK AUTHORITIES TO TAKE, REGULATE, CONTROL AND IMPROVE PUBLIC STREETS, AND TO PAY FOR THE IMPROVEMENT THEREOF. [APPROVED JUNE 21, 1895. IN FORCE JULY 1, 1895.]

Section 1. **Streets taken by Park Commissioners, etc.** That every Board of Park Commissioners or park authorities shall have power to connect any public park, boulevard or driveway under its control with any part of any incorporated city, town or village (?) by selecting and taking any connecting street or streets, or parts thereof, leading to such park, boulevard or driveway, and shall also have power to accept and add to any parks or park under their control any street or parts thereof which adjoins or runs parallel with any boundary line of the same. *Provided*, that the streets so selected and taken, so far as taken, shall lie within the district or territory, the property of which shall be taxable for the maintenance of such parks, boulevard or driveway. *And, provided further*, that the consent of the corporate authorities having control of any such street or streets so far as selected and taken, and also the consent in writing of the owners of a majority of the frontage of the lots and lands abutting on such streets, so far as taken, shall be first obtained.

Sec. 2. **Special taxes—special assessments.** That such Board of Park Commissioners or park authorities shall have power to improve such street or streets, or parts thereof, in such manner as they may deem best and as they have or may hereafter have power to improve other streets under their control, and for that purpose they are hereby authorized to pay for the improvement thereof by levying, assessing and collecting

a special tax on contiguous property abutting on said street or streets, or parts thereof, so improved, or a special assessment on property benefited, in the manner in which said Board of Park Commissioners or park authorities are now or may be hereafter empowered by law to levy, assess and collect special taxes on contiguous property or special assessments for benefits in other cases, or to pay therefor by general taxation, or both; but no such special tax or special assessment shall be levied for the maintenance and repair of such improved street; but the same shall be maintained and repaired by said park boards or park authorities, as in other cases. And such special taxes or special assessments as are hereby authorized may be divided into not exceeding four annual installments, bearing six per cent. per annum interest from the date of confirmation thereof by the court until paid, and the same shall be collected and enforced in the same manner as is or may hereafter be provided by law for the collection and enforcement of other special taxes or special assessments, for or on account of said Park Commissioners or park authorities, so far as the same is applicable.

Sec. 3. **Control by Park Commissioners.** Such park boards or park authorities shall have the same power and control over the streets or part of streets so selected and taken, under this act as are now or may be hereafter vested in them, over and concerning parks, boulevards or driveways or other streets.

Sec. 4. **Reversion.** In case any such streets or parks thereof shall pass from the control of any such Park Commissioners or park authorities, the power and authority over the same, granted or authorized by this

act, shall revert to the proper corporate authorities of such city, town or village respectively, as aforesaid.

Sec. 5. **Municipality may vest control in Park Commissioners.** Any incorporated city, town or village in this State shall have full power and authority to invest any of such Park Commissioners or park authorities with the right to control, improve and maintain any of the streets of such city, town or village, for the purpose of carrying out the provisions of this act.

Sec. 6. **Streets already taken included.** The provisions of this act, so far as the same applies to improving, maintaining and repairing any street or streets, or parts thereof, and of the levy, assessment and collection of special taxes and special assessments, shall apply to any street or streets, or parts thereof, that have been heretofore selected and taken under the control of any Park Commissioners or park authorities, and to any such street or streets, or parts thereof, which, or portions of which, have not yet been improved by such Park Commissioners or park authorities.

NOTE.

In the case of Kreigh vs. City of Chicago, 86 Ill., 407, it was held that, under the law as it stood previous to the act of 1879, the City Council of Chicago had no authority to turn over a street to be improved, controlled and managed by the Park Commissioners, and that such an ordinance passed, though it might be a license protecting the Commissioners from prosecution for interfering with said street, it would not divest the city of its powers of the street.

In the case of the People ex rel. vs. John R. Walsh, 96

Ill., 232, there was involved the legality of the proceedings by which Michigan Avenue, from Jackson Street to Thirty-fifth Street, and Thirty-fifth Street from Michigan Avenue to Grand Boulevard, were turned over by the City of Chicago and selected and taken by the South Park Commissioners as and for a boulevard. The proceeding was by quo warranto. The action of turning over the two streets to the South Park Commissioners was under the act of the Legislature of 1879. No question was raised in the proceeding as to the sufficiency of the consents by the owners of the abutting property. The question raised was whether it was competent for the General Assembly to transfer the control of the streets of a city to Park Commissioners, to be by them controlled for boulevard and driveway purposes. The City Council of Chicago had passed an ordinance on June 23, 1879, authorizing the South Park Commissioners to take, regulate, control and improve the before described parts of Michigan Avenue and Thirty-fifth Street, respectively, in manner and form provided in said act of 1879. And the South Park Commissioners, by resolution passed on July 15, 1879, did thereby select and take said parts of said streets. The resolution and the ordinance of the City Council is set out in full in the report of the case in the Supreme Court.

The case went to the Supreme Court upon the demurrer to the plea filed by the South Park Commissioners as individuals, the demurrer being overruled, and the relator electing to stand by the demurrer.

In the plea of the defendants it was distinctly averred and set up that they "have claimed, and do yet claim to "have, use and enjoy control, authority and jurisdiction "over said parts of Michigan Avenue and Thirty-fifth

"Street, as they well might and still may, for the pub-"lic purposes and uses for which said parts of said "streets were dedicated and conveyed, and under the au-"thority conferred and the duties imposed upon them "by law."

The Court said:

"Manifestly, so long as the streets are to be kept and used for the usual and ordinary uses and purposes of streets, there could be found no constitutional objection to legislation of this character. But the claim here is, that there will be a use of the streets for boulevard and driveway purposes, which will be in violation of rights guaranteed by the constitution, because it will exclude the usual and ordinary uses to which streets are applied. No such use is specifically charged in the information or admitted in the plea, and such a use is not an indispensable condition to the jurisdiction of the Park Commissioners over these streets. Will it not be quite time enough to complain of acts in excess of lawful authority when the right to practice them is avowed?" * * *

"We are unable to see that the use of the streets in question for the usual purposes of streets, must necessarily be inconsistent with their improvement and use for boulevard and driveway purposes. We can not say, as matter of law, that authority to take and use streets for these purposes implies, necessarily, authority to exclude the usual and ordinary uses of streets."

But the Court went still further, and held that even if the turning over of such streets to the South Park Commissioners should change the use of the streets, still that it was within the authority of the Legislature to confer such right. Though, if a change of use thus made damaged a private individual owning property upon the street, he would be entitled, under the present constitution, to sue for and recover his damages.

The Court stated that it would not assume that the Park Commissioners would undertake to divest private rights and appropriate them to public use without making compensation or proceeding to condemn under the eminent domain act.

"Upon the whole, we think the judgment below to be right. The mere fact that the Park Commissioners may claim the right to do some act prejudicial to the interest of individuals, furnishes no reason why they may not, as affects the public, do those acts which are clearly sanctioned by law.

"As respects any excess of authority, the action of the Commissioners may be controlled by injunction; and they may be held individually responsible in actions by those who are pecuniarily injured; and in proper cases, they may be liable to criminal prosecutions."

In the above case, People ex rel. vs. Walsh, 96 Ill., 232, there was a reservation in the ordinance passed by the City Council of the City of Chicago, as follows:

"PROVIDED, however, that nothing in this ordinance contained shall be construed as a waiver or relinquishment by or on the part of said city, of any of its rights or powers in relation to the laying of water or gas mains and pipes, and the building and repairing of sewers, in said streets, and the regulating of openings for the same; all powers which said city now has in relation to water and gas pipes and sewers, and their connections and the regulation of the same, and the openings for the same, in streets and alleys of said city, being hereby expressly reserved as to the said part of Michigan Avenue and Thirty-fifth Street in as ample a manner as if the aforesaid consent was not given."

It was claimed in opposition to the legality of the ordinance that under the act of 1879, if control was turned over to the South Park Commissioners that it was an absolute control in order to the complete execution of the powers of the Commissioners, and that such control was inconsistent with a partial control retained by the city.

Counsel for the People said:

"The question here is, has the council assented. It had the grant of powers so to do, but might or not, as it should choose; it was under no moral or legal obligation. The whole ordinance read together shows that it did not assent in the manner contemplated or authorized."

In answer to this argument, the Supreme Court said:

"It is not attempted to be shown why an absolute control is necessary in order to the execution of the powers of the Commis-

sioners. It is asserted that this necessity is inconsistent with a partial control by the city, and if the necessity be conceded, the conclusion would clearly be correct. But why may not the main objects and purposes of the grant to the Park Commissioners be entirely consistent with the exercise of the reserved powers in the city?" * * *

"The act of April 9, 1879, does not make it obligatory upon the city to confer control over the streets upon the Park Commissioners. It only enables them to do so or not as they shall choose. The corporate authorities having control of any such streets, must first give their consent. They are at liberty to entirely withhold it, or grant it only subject to conditions. If the Park Commissioners accept it with conditions, the performance of the conditions then becomes obligatory.

"There is no more apparent repugnancy between the grant and the reservation here than there is between a lease of lands for farming purposes and the reservation of the right to take timber or gravel, etc., from the land, or to travel across it, or use water from springs there on, or to excavate and mine for coal or other minerals beneath its surface.

"The grant is merely charged with the burden of the reservation. The rights of each may be enjoyed without necessary conflict."

In the case of Thorn vs. West Chicago Park Commissioners, 130 Ill., 594, the West Chicago Park Commissioners had selected and taken, under the act of 1879, as amended by the acts of 1885 and 1887, portions of Twelfth Street and Ogden Avenue for the purpose of constructing a continuous boulevard leading into Douglas Park. No question was raised but that the proper consent had been granted by the corporate authorities of the City of Chicago. The Park Commissioners levied a special assessment for the improvement of the streets in question as a boulevard. Upon application for confirmation of such special assessment, objection was made that the Park Commissioners had not acquired jurisdiction over the streets. And the Court said (page 604):

"The controversy here relates to the third condition—the consent of the owners of a majority of the abutting frontage. Such consent of the owners of more than one-half of the frontage upon the por-

tions of the streets proposed to be converted into a boulevard connecting the park with the city, lay at the foundation of the right of the Park Commissioners to assume control of the streets. The existence of the fact was necessary to the jurisdiction of the Park Commissioners, and the burthen was upon them to establish, prima facie at least, the jurisdictional facts authorizing them to take these streets for the purpose of constructing a boulevard appurtenant to the park, and connecting the same with the city."

On the hearing, in order to show such consent of the owners, the Commissioners produced a paper purporting to be a petition to the board by, and the consent of, abutting property owners. It was shown that such paper came from the files kept by the Board of Commissioners and was the written consent acted upon by the board in taking the streets for the purpose contemplated. The trial court held that the production and putting in evidence of the petition or consent paper made a prima facie case for the Commissioners, and put the burthen upon the objectors to show that it was not the written consent of the property owners, as it purported to be. The Court said:

"We can not concur in the holding of the trial court. As we have seen, the burthen was upon the Park Commissioners to show, affirmatively, the jurisdictional fact of consent by the owners of the required amount of frontage. The evidence in respect thereof was, we think, wholly insufficient. Waiving the matter of proving ownership by the persons purporting to sign the paper admitted in evidence, it is not shown that a sufficient number of such persons signed the consent to constitute consent by the owners of a majority of the abutting property. The only person introduced who testified generally to the execution of the writing testifies that he procured the signatures of most of the signers, but not all, and he does not testify, except in a few instances, either as to those he did or did not procure. There are many signatures to the writing purporting to be the consent of owners of abutting property, either of whom purport to sign for a sufficient number of feet frontage to reduce the amount to less than the required number of feet. We cannot tell from the evidence contained in this record whether these persons executed this instrument or not. The writing here offered is not

signed by the objectors, and we are aware of no rule by which it was admissible in evidence against them, without proof of its execution.

"But if it could be conceded that the evidence was sufficient to show the signing of the parties purporting to execute the writing, the names of persons purporting to sign as owners, representing over 1300 feet of this frontage, were apparently placed there by some other person. There was no competent evidence tending to show authority of the persons executing, or purporting to execute, the consent for or on behalf of such owners. The execution or signing of the name of the owner by one without authority would not be binding upon the owner, and would not constitute consent, within the meaning of the statute. The burthen was upon the Commissioners to show consent of the required number of owners, and to do this, in this case, it was necessary to show that authority to execute the consent was given by the owner on whose behalf it purported to be executed. Henderson vs. Mayor of Baltimore, 8 Md., 352.

"Nor is the consent at all aided by the fact that the Park Commissioners acted upon the paper introduced in evidence, or by the consent of the City of Chicago that the parts of the streets named might be taken by the Commissioners for a boulevard. The action of the city is wholly independent of that of the property owners. And while the Park Commissioners must, in the first instance, pass upon the fact of consent by the owners of abutting property, and determine for themselves whether those owning a majority of such property have consented to their appropriation of the street for the purposes contemplated by the act, such determination can have no effect when their jurisdiction is challenged in endeavoring to carry out the powers conferred by the statute. The power conferred upon the park board affects and impairs the right of the citizen, and may (and in the case of the minority of holders of abutting property does) incumber his property without his consent, and may arbitrarily impose onerous burdens for which there is no relief or redress. The legislature has interposed the safeguard of requiring the consent of the owners of more than one-half of the property to be affected, upon the presumption, no doubt, that what will be of benefit to the greater portion will not unduly prejudice the lesser part; and when the Commissioners sought confirmation of their assessment upon appellants' property, under the power conferred by the statute, it was incumbent upon them to show compliance with the law, by which alone they obtained jurisdiction to impose the burden. This they have not done. Rex vs. Mayor of Liverpool, 4 Burr., 244; Smith vs. City of Madison, 7 Ind., 86; Clark vs. Washington, 12 Wheat., 40, and supra."

TRANSFER OF PARKS TO COMMISSIONERS.

AN ACT ENTITLED "AN ACT TO ENABLE PARK COMMISSIONERS HAVING CONTROL OF PARKS TO TAKE, REGULATE, CONTROL AND IMPROVE PARKS NOW UNDER THE CONTROL OF INCORPORATED CITIES, VILLAGES OR TOWNS. [APPROVED AND IN FORCE APRIL 11, 1885.]

Section 1. **Transfer authorized.—Consents.** That every Board of Public Park Commissioners shall have the power to take under its control, and to regulate, control and govern, in the same manner as it may govern other parks or boulevards under its control, any public park now under the control or jurisdiction of any incorporated city, town or village: Provided, that the park so taken shall lie within the district or territory, the property of which shall be taxable for the maintenance of the parks or boulevards under the control of any such Board of Park Commissioners: And, provided further, that the consent of the authorities of any city, town or village having control of the park so to be taken, and also the consent, in writing, of the owners of a majority of the frontage of the lots and lands abutting on the park so to be taken, shall be first obtained.

Sec. 2. **Power of Park Commissioners.** Such Boards of Park Commissioners shall have the same power and control over the parks taken under this act as are, or may be by law vested in them, of and concerning the parks, boulevards or driveways now under their control.

Sec. 3. **Reversion to corporate authorities.** In case any such parks so to be taken shall pass from the control of any such park board, the power and authority over the same, granted or authorized by this act,

shall revert to the proper authorities of such city, town or village, as the case may be, as aforesaid.

Sec. 4. **Power of city or village.** Any city, town or village in this State shall have full power and authority to vest any such Board of Public Park Commissioners with the right to control, improve and maintain any such park within the district over which such Board of Park Commissioners has jurisdiction for the purposes of carrying out the provisions of this act, in accordance with its intent.

Sec. 5. **Emergency.** Whereas, public policy requires that, so far as practicable, there should be, within the jurisdiction of such park boards, but a single authority over the parks lying within such districts respectively; therefore, an emergency exists for the passage of this act, and the same shall take effect and be in force from and after its passage.

CONDEMNATION TO MAKE BOULEVARDS OF UNIFORM WIDTH.

AN ACT TO ENABLE PARK COMMISSIONERS TO CONDEMN LAND IN CERTAIN CASES FOR THE PURPOSE OF MAKING STREETS SELECTED AND TAKEN FOR BOULEVARDS OF UNIFORM WIDTH, AND TO PROVIDE FOR THE PAYMENT OF THE SAME. [APPROVED JUNE 14, 1887. IN FORCE JULY 1, 1887.]

Section 1. **Power conferred.** That in all cases where any Board of Park Commissioners has selected and taken any street or part thereof under the provisions of an Act of the General Assembly entitled "An Act to enable Park Commissioners or corporate authorities to take, regulate, control and improve public

streets leading to public parks, to pay for the improvement thereof, and in that behalf to make and collect a special assessment or special tax on contiguous property," and any part or portion of said street so selected and taken has not been legally laid out or dedicated to the uniform width of one hundred feet, the said Board of Park Commissioners shall have the power to widen said street or the part of said street so selected and taken to the uniform width of one hundred feet: Provided, that some portion of each mile of said street, or the part thereof so selected and taken, shall be of the width of one hundred feet at the time of such selection and taking.

Sec. 2. **Condemnation.** Such Park Commissioners are hereby vested with power to take and acquire title to such pieces or parcels of land as may be necessary for such widening, and may proceed to procure the condemnation of the same in the manner prescribed in the Act of the General Assembly entitled "An Act to provide for the exercise of the right of eminent domain." Approved April 10, 1872; the provisions of which said act are hereby extended to said Park Commissioners.

Sec. 3. **Assessment.** Such Park Commissioners are hereby authorized to levy, or cause to be levied and collected, a special assessment or special tax upon the contiguous property abutting on said street or part thereof so selected and taken for the purpose of raising the amount necessary to pay the compensation and damages for the said land necessary to be taken for such widening, with the costs of the proceedings; and to that end they shall have all the power and authority now or hereafter granted to them relative to the levy,

assessment and collection of taxes or assessments for corporate purposes.

IMPROVEMENT AND MAINTENANCE OF PARKS.

AN ACT TO ENABLE PARK COMMISSIONERS TO IMPROVE, GOVERN AND MAINTAIN THE PARKS AND BOULEVARDS UNDER THEIR CONTROL. [APPROVED JUNE 26, 1885. IN FORCE JULY 1, 1885.]

Section 1. **Park tax.** That every Board of Park Commissioners having a bonded indebtedness incurred by virtue of the laws of this State which is unable, after paying the interest and yearly maturing bonds, to properly improve, govern and maintain the parks and boulevards under its control, with the amount of money now authorized by law to be raised and set apart for that purpose, shall, in addition to the amount of money now authorized to be raised by taxation on the property embraced in its park district, be allowed a sum not exceeding one mill on each dollar of taxable property embraced in such park district, according to valuation of the same as made for the purpose of State and county taxation by the last assessment. And the officers authorized by law to assess taxes for park purposes respectively, shall, on receiving a certificate from such Board of Park Commissioners that the amount mentioned in such certificate, not exceeding the amount aforesaid, is necessary for the proper improvement, government and maintenance of the park property under its control, assess the same upon the taxable property embraced in said park district, the same as other park taxes are by law assessed, and the same shall be collected and paid over the same as other park taxes are now required by law to be collected and paid.

AN ACT TO ENABLE PARK COMMISSIONERS TO MAINTAIN AND GOVERN PARKS AND BOULEVARDS UNDER THEIR CONTROL. [APPROVED JUNE 17, 1893. IN FORCE JULY 1, 1893.]

Section 1. **Park tax.** That in any town which is now included within the limits of any city in this State, in which a Board of Park Commissioners shall now exist, having authority by law to acquire land and the appurtenances in trust for the inhabitants of such town, and of the division or part of such town and for such parties or persons as may succeed to the rights of such inhabitants, and for the public, as public promenades and pleasure grounds and ways, and for no other use or purpose, without the consent of a majority by frontage of the owners of the property fronting the same, and without the power to sell, alienate, mortgage or incumber the same, the corporate authorities of any such town, authorized by law to assess taxes for park purposes, shall, upon the receipt of a certificate in writing from any such Board of Park Commissioners, on or before the first day of August in each year, levy and assess, in addition to all other taxes now authorized by law to be levied and assessed for the purpose of governing and maintaining any such parks and boulevards, one mill on each dollar of taxable property in said town and within the park district, subject to taxation for park and boulevard purposes, according to the valuation of the same, as made for the purpose of State and county taxation; and such additional one mill on the dollar of the taxable property in said town and park district shall be used and expended by such Board of Park Commissioners in governing and maintaining any parks, boulevards or pleasureways under the jurisdiction, management and control of any such Board of

Park Commissioners, and for paying any other necessary and incidental expenses incurred in and about the management of any such parks and boulevards, and such additional one mill shall, by the officer authorized by law to assess and collect taxes for park purposes, be collected and paid over, the same as other park taxes are now required by law to be collected and paid over.

AN ACT TO ENABLE PARK COMMISSIONERS TO MAINTAIN AND GOVERN PARKS AND BOULEVARDS UNDER THEIR CONTROL. [APPROVED JUNE 17, 1895. IN FORCE JULY 1, 1895.]

Section 1. **Park tax.** That in any town which is now included within the limits of any city in this State, in which a Board of Park Commissioners shall now exist, having authority by law to acquire land and the appurtenances in trust for the inhabitants of such town, and for such parties or persons as may succeed to the rights of such inhabitants, and for the public as public promenades and pleasure grounds and ways, and for no other use or purpose without the consent of a majority by frontage of the owners of the property fronting the same, and without the power to sell, alienate, mortgage or incumber the same, the corporate authorities of any such town, authorized by law to assess taxes for park purposes, shall, upon the receipt of a certificate in writing from any such Board of Park Commissioners, on or before the first day of August in each year, levy and assess, in addition to all other taxes now authorized by law, to be levied and assessed for the purpose of governing and maintaining any such parks and boulevards, two mills on each dollar of the taxable property in said town and within the park district, subject to taxation for park and boulevard purposes, according to the valu-

ation of the same, as made for the purpose of State and county taxation; and such additional two mills on the dollar of taxable property in said town and park district shall be used and expended by such Board of Park Commissioners in governing and maintaining any parks, boulevards or pleasureways under the jurisdiction, management and control of any such Board of Park Commissioners, and for paying any other necessary incidental expenses incurred in and about the management of any such parks and boulevards, and such additional two mills shall, by the officer authorized by law to assess and collect taxes for park purposes, be collected and paid over the same as other park taxes are now required by law to be collected and paid over.

SALE OF LANDS NOT NEEDED.

AN ACT TO ENABLE PARK COMMISSIONERS TO SELL LAND NO LONGER NEEDED FOR PARK PURPOSES. [APPROVED JUNE 16, 1887. IN FORCE JULY 1, 1887.]

Section 1. Any Board of Park Commissioners having the control or supervision of any public park, boulevard, driveway or highway, and having any piece or parcel of land not exceeding one acre in area which shall no longer be needed or deemed necessary or useful for the purpose of said park, boulevard, driveway or highway, may apply to the Circuit Court of the county in which such piece or parcel of land is situated, by petition in writing, for leave to sell the same. Notice of such application shall be given by said Board of Park Commissioners in some newspaper published in said county at least ten days before the day named therein when said application will be made. All persons interested may appear before said Circuit Court, either

in person or by attorney, when said application shall be made, and object to the granting thereof. After hearing all persons interested, if said court shall deem the granting of said application to be for the public interest, it shall direct that the property mentioned in said application, or any part thereof, be sold and conveyed by the said Board of Park Commissioners for the use of said park, boulevard, driveway or highway, upon such terms and conditions as the said court may think proper.

APPOINTMENT OF COMMISSIONERS BY GOVERNOR.

AN ACT TO PROHIBIT THE APPOINTMENT OF PARK COMMISSIONERS BY JUDGES OF THE CIRCUIT COURT AND TO PROVIDE FOR THEIR APPOINTMENT BY THE GOVERNOR OF THE STATE. [APPROVED MAY 30, 1881. IN FORCE JULY 1, 1881.]

Section 1. **Judges not to appoint Commissioners.** That hereafter it shall not be lawful for any judge or judges of any Circuit Court in this State to appoint any Park Commissioner or fill any vacancy in any such office of Park Commissioner.

Sec. 2. **Governor to appoint.** The Governor of the State of Illinois shall appoint all Park Commissioners hereafter to be appointed under and by virtue of any act or acts providing for the location and maintenance of any public park or parks (not under the control of any city, village or other municipal corporation), and shall fill all vacancies which may hereafter occur in any such office of Park Commissioner or Board of Park Commissioners by like appointment, anything in any such act or acts to the contrary notwithstanding.

Sec. 3. **How vacancy certified.** Whenever any vacancy or vacancies shall occur in any such Board of Park Commissioners it shall be the duty of the remaining member or members of such board to certify the fact of such vacancy or vacancies to the Governor of the State of Illinois.

NOTE.

In the case of Cornell vs. The People ex rel., 107 Ill., 372, it was held, that, while the people of the towns of South Chicago, Hyde Park and Lake, having, by vote, accepted the provisions of the South Park act and thereby made the Board of South Park Commissioners a municipal corporation in which the Legislature might vest power to assess and collect taxes within the park district for the special corporate purposes of its creation, and while, as a general proposition, the Legislature has the power to control municipal bodies which it has created, and may, as a general rule, alter or amend the act of incorporation at pleasure, and may enlarge or diminish the corporate powers of the South Park Commissioners, still it must also be held that the "corporate authorities" intended by the constitution upon whom the power of taxation may be conferred, are such municipal officers as may have been elected directly by the people or appointed in some mode to which the people of a given district have, by vote, given their assent, and that, therefore, the Legislature has no authority to change the method of appointing the corporate authorities of the South Park district, who are the South Park Commissioners. The original method of appointment having been provided in the charter and accepted by vote of the people, no such change could be

made except by being assented to by a vote of the people.

The act of the Legislature, therefore, providing that the South Park Commissioners should be appointed by the Governor of the State instead of circuit judges of Cook County was held unconstitutional and void.

And in The People ex rel. vs. Morgan, 90 Ill., 558, it was held that the Circuit Court judges were properly exercising a legal authority in appointing the South Park Commissioners.

EXTENSION OF DRIVEWAYS ON LAKE SHORE.

AN ACT TO ENABLE PARK COMMISSIONERS HAVING CONTROL OF ANY BOULEVARD OR DRIVEWAY BORDERING UPON ANY PUBLIC WATERS IN THIS STATE TO EXTEND THE SAME. [APPROVED JUNE 4, 1889. IN FORCE JULY 1, 1889.]

Section 1. **Extension of boulevard or driveway—Not to interfere with navigation.** That every board of Park Commissioners, existing under the laws of this State, that now has, or may hereafter have, control over any boulevard or driveway connecting with any public park under the control of such board, and bordering upon any public waters in this state, shall have power, subject to the limitations in this act contained, to extend such boulevard or driveway, of the width of not more than two hundred feet over and upon the bed of such public waters: Provided, however, that no such boulevard or driveway shall be extended, under the provisions of this act, in such a manner as to interfere with the navigation of such public waters for the purposes of commerce; and that the lands adjacent to such public waters and connected with the termini of such

boulevard or driveway as extended under the provisions of this act, shall lie within the district or territory, the property of which shall be taxable for the maintenance of the parks under the control of such board.

Sec. 2. **Plans, consent to be obtained, riparian rights.** Whenever any such board of Park Commissioners shall determine to extend any such boulevard or driveway under this act, said board shall prepare a plan of such proposed extension, and make an estimate of the cost thereof, and shall obtain the consent in writing of the owners of at least two-thirds of the frontage of all of the lands not appropriated to or held for public use abutting on such public waters in front of which it is proposed to extend such boulevard or driveway for the making of such extension, and shall also obtain the consent of the supervisor and assessor, corporate authorities of the town or towns in which the lands abutting on such public waters in front of such proposed extension may lie, to the making of such extension. The riparian or other rights of the owners of lands on the shore adjoining the waters in which it is proposed to construct such extension, the said board of Park Commissioners may acquire by contract with or deeds from any such owner; and in case of inability to agree with any such owner, proceedings may be had to condemn such rights according to the provisions of article nine of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, and the amendments thereof.

Sec. 3. **Powers of board, submerged lands.** Upon complying with section two of this act, said board shall have power to contract in writing with any person or

persons for the construction of such extension of such boulevard or driveway, according to such plan, and under the supervision of said board, and in all cases where any boulevard or driveway is extended under the provisions hereof, the submerged lands lying between the shore of such public waters and the inner line of the extension of such boulevard or driveway shall be appropriated by the board of Park Commissioners to the purpose of defraying the cost of such extension, and to that end such board of Park Commissioners are authorized to sell and convey such submerged lands in fee simple by deeds duly executed on its behalf by its president and under its corporate seal, and every deed executed in pursuance hereof shall vest a good title in the grantee to the premises intended to be conveyed thereby.

Sec. 4. **Title and control.** Upon the completion of any such extension of such boulevard or driveway, the title thereto, and to the bed thereof, shall be vested in such board of Park Commissioners for the purpose of a boulevard or driveway, and shall become a part of the public park or parks under the control of such board, and shall thenceforth be maintained and controlled by such board in the manner provided by law for the government and maintenance of other boulevards and driveways under its control.

Sec. 5. **Termini of streets, construction of act.** In case any public streets shall extend to the shore line of said public waters in front of which extension of such boulevard or driveway shall be constructed under this act, and such streets, if extended, would cross such extension, such streets (unless the municipality in control

thereof shall otherwise direct) shall extend to the inside line of such extension of said boulevard or driveway. Nothing in this act shall be construed to repeal section twenty of an act entitled "An act in regard to the completion of public parks and the management thereof," approved June 16, 1871, and amendments thereto heretofore made, or which may be hereafter made, unless expressly so declared.

LOGAN MONUMENT.

AN ACT TO APPROPRIATE FIFTY THOUSAND DOLLARS ($50,000) TO ERECT A MONUMENT TO JOHN A. LOGAN AND FOR THE APPOINTMENT OF COMMISSIONERS THEREFOR. [APPROVED FEBRUARY 10, 1887. IN FORCE JULY 1, 1887.]

Section 1. **Commissioners.** Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Henry W. Blodgett, William C. Goudy, Robert T. Lincoln, John M. Palmer, Milton Hay, Richard S. Tuthill, William H. Harper, Melville W. Fuller, John R. Walsh, Oliver A. Harker, William S. Morris and George W. Smith, be, and they are hereby, constituted commissioners to erect a monument in honor of John A. Logan, deceased, at such point in the City of Chicago, or elsewhere in the State of Illinois, as may be selected by his widow, and they are hereby authorized and empowered to receive proposals and to contract for the completion of such monument, and to receive subscriptions therefor: Provided, that such commissioners shall not obligate the State of Illinois to exceed the sum named in section three of this act.

Sec. 2. **Compensation.** Such Commissioners shall receive no compensation for their services.

Sec. 3. **Appropriation.** For the purpose of defraying the cost of such monument, beyond such amounts as may be received by voluntary contributions, the sum of fifty thousand dollars ($50,000) is hereby appropriated out of the State Treasury, and the Auditor of Public Accounts is hereby authorized to draw his warrant on the State Treasury for such amount, out of the moneys in the treasury not otherwise appropriated, upon the certificate of a majority of such Commissioners from time to time during the progress of the work.

AN ACT TO AMEND SECTION 1, TO ADD SECTION 4, AND TO AMEND THE TITLE OF AN ACT ENTITLED "AN ACT TO APPROPRIATE FIFTY THOUSAND DOLLARS ($50,000) TO ERECT A MONUMENT TO JOHN A. LOGAN, AND FOR THE APPOINTMENT OF COMMISSIONERS THEREFOR," APPROVED FEBRUARY 10, 1887, AND TO ADD THE EMERGENCY CLAUSE TO SAID ACT AS SECTION 4. [APPROVED AND IN FORCE MAY 31, 1887.]

Section 1. **Commissioners.** Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section 1 of an act entitled "An Act to appropriate fifty thousand dollars ($50,000) to erect a monument to John A. Logan and for the appointment of commissioners therefor," approved February 10, 1887, be and the same is hereby amended, so as to read as follows:

"Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Henry W. Blodgett, William C. Goudy, Robert T. Lincoln, John M. Palmer, Milton Hay, Richard S. Tuthill, William H. Harper, Melville W. Fuller, John R. Walsh, Oliver A. Harker, William S. Morris and George W. Smith, be, and they are hereby constituted commis-

sioners to erect a monument in honor of John A. Logan, deceased, at such point in the City of Chicago, or elsewhere in the State of Illinois, as may be selected by his widow, and they are hereby authorized and empowered to receive proposals and to contract for the completion of such monument, and to receive subscriptions therefor: Provided, That such Commissioners shall not obligate the State of Illinois to exceed the sum named in section three of this act: and provided, further, That if the place selected by the widow of said John A. Logan for the site of such monument shall be located in or upon any public park or boulevard under the government and control of any board of park commissioners, such board of park commissioners shall be, and they are hereby authorized, empowered and directed to allow such monument to be placed upon the site so selected by said widow, and to provide that such monument shall be made the permanent resting place of the remains of said John A. Logan, and of his said widow after her death."

Sec. 2. **Emergency added.** That said act named in the caption hereto be, and the same is hereby further amended, by adding the emergency clause thereto as section 4, so as to read as follows:

"Sec. 4. Whereas, An emergency exists, this act shall take effect and be in force from and after its passage."

Sec. 3. **Amends title.** That the title of said act be so amended as to read as follows: "An Act to appropriate fifty thousand dollars ($50,000) to erect a monument to John A. Logan, for the appointment of commissioners therefor, and to provide for the location

of the same in or upon a public park or boulevard under the government and control of a board of park commissioners, and to provide for making the same the permanent resting place of the said John A. Logan and of his widow after her decease."

Sec. 4. **Emergency.** Whereas, An emergency exists, this act shall take effect and be in force from and after its passage.

WORLD'S COLUMBIAN EXPOSITION.

AN ACT IN RELATION TO THE "WORLD'S COLUMBIAN EXPOSITION." [APPROVED AND IN FORCE AUGUST 5, 1890.]

Whereas, The Congress of the United States has passed an Act entitled "An Act to provide for the celebrating the four hundredth anniversary of the discovery of America, by Christopher Columbus, by holding an international exhibition of art, industries, manufactures, and the product of the mine and soil, in the City of Chicago, in the State of Illinois;" approved April 25, 1890, and

Whereas, The people of the State of Illinois appreciate the honor conferred upon their State by the location of said international exhibition, now known as the "World's Columbian Exposition," within its limits, and are in sympathy with the objects and purposes of said exposition, and desirous of contributing to the success thereof by the adoption of legislation ancillary to the said Act of Congress aforesaid; now, therefore,

Section 1. **Use of lands authorized.** Be it enacted by the people of the State of Illinois, represented in the General Assembly: That there shall be, and is hereby, granted to the authorities having the charge

and management of said World's Columbian Exposition, the use and occupation of all lands, or right therein, of the State of Illinois, whether submerged or otherwise, within the present limits of the City of Chicago, or adjacent thereto, which may be designated and selected by said authorities as the site or sites for the holding of said World's Columbian Exposition. The use and occupation hereby granted shall not continue longer than one year after the close of said exposition. And the use of any submerged lands which may be filled, or reclaimed under the provisions hereof, shall accrue to the City of Chicago, to be forever maintained as a public park; and when any part thereof is diverted to any other use, the title and possession to all of said lands shall revert to the State of Illinois.

Sec. 2. **Public grounds may be used—Consent—Easement—Damages.** There is also hereby granted to the authorities having the charge and management of said World's Columbian Exposition, for such term as may be necessary for the accomplishment of the objects thereof, the use and enjoyment of any public grounds, or park grounds, and rights appurtenant thereto, the title to, or control over which may be vested in the City of Chicago, the corporate authorities of the City of Chicago consenting thereto, with the right and authority to improve the same for the purposes of the said World's Columbian Exposition, in such manner as to the said authorities shall seem necessary and expedient; and in case improvements of a permanent character, enlarging said public grounds, shall be made for the accommodation of said World's Columbian Exposition, all such enlargements shall, at the expiration of the term herein limited, remain a part of said

public grounds, without prejudice to any private rights therein as the same existed prior to the passage of this Act; Provided, that the buildings erected upon said public grounds, or any enlargement thereof, may be removed and disposed of by the authorities erecting the same within one year from and after the close of said exposition, unless otherwise arranged and agreed between the corporate authorities of said City of Chicago and the authorities who erected the same; and if the said City of Chicago shall agree to purchase said buildings, said authorities shall not ask or obtain from said city for said buildings a sum greater than the actual cost of building the same.

If any owners of any lands or lots abutting or fronting on any such public grounds, or park grounds, or adjacent thereto, shall have any private right, easement, interest or property in such public or park grounds appurtenant to their lands or lots, or otherwise, or any right to have such public or park grounds remain open or vacant and free from encroachment, the Attorney General, or the State's Attorney of Cook County, may, at the request of the authorities having the charge and management of said World's Columbian Exposition, apply to the Circuit or Superior Court of Cook County, or to any judge of either of said courts in vacation, by filing with the Clerk of the Court a petition in the name of the people of the State of Illinois, praying that the compensation to be paid for such right, interest, easement or property, or for any interference with or damage thereto, for the term hereinafter mentioned, may be ascertained by a jury. Such petition and all proceedings in relation thereto shall be, as nearly as may be, as prescribed by an Act entitled "An Act to provide

for the exercise of the right of eminent domain," approved April 10, 1872. No private right, interest, easement or property shall be taken or condemned, as aforesaid, for a longer term than may be necessary for the accomplishment of the objects and purposes of the World's Columbian Exposition, such term not to exceed five years. The compensation for the same, when ascertained by a jury as aforesaid, shall be paid by the said authorities having the charge and management of said World's Columbian Exposition. Upon the expiration of the term for which such right, interest, easement or property shall have been taken or condemned, as aforesaid, the same shall immediately revert to the owners thereof, or their privies in law or in estate.

Sec. 3. **Commissioners may allow use of parks.** In case the site or sites for the holding of the said World's Columbian Exposition, as finally located and fixed by the authorities in charge thereof, shall include the whole or any part of any public park which is or may be under the control and management of Park Commissioners, then, and in that event, it shall be competent, and express authority for that purpose is hereby granted to the Park Commissioners having the control and management of such public park to allow the use of the same, or any part thereof, for the purposes of said World's Columbian Exposition upon such terms and conditions as may be agreed upon between the said Park Commissioners and the authorities having the management of said exposition.

Sec. 4. **Park bonds—Vote.** The said Park Commissioners in the charge of the public grounds, or any part thereof designated and selected as the site of the whole or part of the said exposition, by the authori-

ties in charge thereof, shall have and are hereby invested with full power and authority in their discretion to issue and sell interest bearing bonds to an amount not exceeding five hundred thousand dollars, the proceeds of said bonds so issued to be used and applied in improving the grounds under their control selected as aforesaid for the use of said exposition, and authority is hereby expressly granted to the Park Commissioners issuing said bonds to levy and collect a direct annual tax upon the property within their jurisdiction sufficient to pay the interest on said bonds as it falls due, and also to pay and discharge the principal thereof within twenty years from the date of issuing said bonds. All improvements made by the proceeds of said bonds shall become a part of the public property to be held and controlled by the Park Commissioners issuing said bonds. But the power herein granted shall not be exercised until the proposition to issue such bonds shall have been submitted to a vote of the legal voters of such park district and receive a majority of the votes cast upon that proposition at such election. Public notice of the time and places for holding such election shall be given by the Park Commissioners of such district not less than twenty (20) days before the day appointed therefor, by publication in some newspaper of general circulation in said district, and by posting the same in at least ten of the most public places in said district, and the ballots shall read "For issuing the bonds," or "Against issuing the bonds." The said election shall be held, and the ballots cast shall be counted, and the returns thereof be canvassed by the same officers and in the same manner as in the case of election of county officers within said district.

Sec. 5. **Emergency.** Inasmuch as it is important and necessary that preparation for the holding of said World's Columbian Exposition should be proceeded with at once, it is therefore declared that an emergency exists, and that this Act shall take effect and be in force from and after its passage.

MAINTENANCE OF BOULEVARDS.

AN ACT TO AUTHORIZE CORPORATE AUTHORITIES HAVING JURISDICTION AND CONTROL OF PARKS AND BOULEVARDS TO LEVY A SPECIAL TAX UPON CONTIGUOUS PROPERTY ABUTTING ON BOULEVARDS AND PLEASUREWAYS, FOR THE MAINTENANCE AND REPAIR THEREOF. [APPROVED JUNE 17, 1893. IN FORCE JULY 1, 1893.]

Section 1. **Special tax—Who may levy—Limit as to amount.** That in any town which is now included within the limits of any city in this State in which a board of park commissioners shall now exist, having authority by law to acquire land and the appurtenances in trust for the inhabitants of such town, and of a division or part of such city, and for such parties and persons as may succeed to the rights of such inhabitants and for the public, as public promenades and pleasure grounds and ways; but not for any other use or purpose, without the consent of a majority by frontage of the owners of the property fronting the same, and without the power to sell, alienate, mortgage or incumber the same, any such board of park commissioners shall have power and authority to levy a special tax upon each lineal foot of the several lots, blocks, pieces and parcels of land abutting on any boulevard, driveway or pleasureway now under the control, or hereafter to be under the control and man-

agement of any such board of park commissioners, but such special tax so to be levied by any such board of park commissioners shall not exceed twenty-five cents per lineal foot in any one year, upon the several lots, blocks, parcels and pieces of land so abutting on any such boulevard, driveway or pleasureway.

Sec. 2. **Assessment Roll.** It shall be and is hereby made the duty of any such board of park commissioners, on or before the tenth day of July in each year, to make a separate list or roll of the several lots, blocks. pieces and parcels of land contiguous to and abutting upon each and every boulevard under the management and control of any such board of park commissioners, which said separate lists or rolls shall contain a substantially correct description of each separate block, piece and parcel of land abutting on each of any such boulevards or pleasureways, and as nearly as may be, and so far as known, the name of the owner or owners of all such lots, blocks, parcels and pieces of real estate. Said assessment roll or list shall be entitled "Assessment Roll of the several lots, blocks, pieces and parcels of real estate, contiguous to and abutting upon..... boulevard, made by the....park commissioners, for the purpose of levying a special tax upon the real estate abutting on said boulevard, to pay the cost of the maintenance and repair thereof for the year....." Said assessment roll shall contain a column, headed "Amount of special tax levied for maintenance and repair," and in such column shall be set down, opposite the description of each separate lot, piece or parcel of land, the amount of special tax levied by any such board of park commissioners for the purpose aforesaid, but in no event shall the amount levied against each separate

lot, piece or parcel of land aggregate more than twenty-five cents per lineal foot of the lots, blocks, pieces and parcels of land so abutting upon such boulevard or pleasureway against which the same shall be levied for the purpose aforesaid.

Sec. 3. **Notice—Objections.** After such assessment roll shall have been completed by any such board of park commissioners they shall publish a notice in a daily newspaper published in the city or town in which any such boulevards, driveways or pleasureways shall be located, of the time and place when such board of park commissioners will meet, for the purpose of confirming the said special tax hereby authorized to be levied for the purpose aforesaid, and said notice shall be published for ten successive days prior to the date of such meeting to be held by such board of park commissioners for such purpose, and at any such meeting of any such board of park commissioners for the purpose of the confirmation of such special tax, any person or persons interested may appear before such board of park commissioners and make objection in writing to said proposed special tax, and it shall be the duty of any such board of park commissioners to hear and determine the merits of any and all objections which may be made to the levy and confirmation of such special tax, and the finding and determination of any such board of park commissioners shall be conclusive on all persons objecting to the same.

Sec. 4. **Assessment Roll to be delivered to Assessor—Duty of Assessor.** When such board of park commissioners shall have finally confirmed any such special tax, it shall be the duty of such park commis-

sioners to duly certify and transmit on or before the first day of August in each year, the separate assessment rolls so made and confirmed, to the Assessor of the town in which said boulevard or pleasureway shall be located, and upon the receipt by said Assessor of such assessment roll, it shall be and is hereby made his duty as such Assessor, to extend the amount assessed against each separate lot, piece or parcel of real estate described in said assessment roll, so made by such board of park commissioners, upon the general assessment rolls or books made by such Assessor, for the purpose of State, County and Municipal taxation, in a separate column on said assessment rolls or books, headed "Special Tax for Boulevard Maintenance;" and when such tax shall be so extended and set down in the appropriate column therefor by the Town Assessor of any such town, such special tax shall become a specific lien against each separate piece and parcel of land against which the same is levied, and shall be payable to, and collectible by, and in the same manner and by the same officers as are by law required to collect and enforce the payment of State and County taxes.

FIELD MUSEUM.

AN ACT CONCERNING MUSEUMS IN PUBLIC PARKS. [APPROVED JUNE 17, 1893. IN FORCE JULY 1, 1893.]

Section 1. **Museums in public parks—Their erection and use.** That the corporate authorities of cities and park districts having the control or supervision of any public park are hereby authorized to purchase or erect and maintain within such public park, edifices to be used as museums for the collection and display of objects pertaining to natural history and the arts and

sciences, and charge an admission fee to the same not exceeding 25 cents for each visitor over ten years of age and not exceeding 10 cents for each visitor of ten years of age and under, the proceeds thereof to be devoted to the maintenance of such museums: Provided, that all such museums shall be open to the public without charge for two days in each week, and to the children in actual attendance upon any of the schools in this State at all times: And provided, also, that prior to the establishment of any such museum this act shall have been submitted at any election to the electors of the city or park district proposing to establish the same, and shall have been adopted by a majority of the electors voting upon such proposition at the election at which this act is so submitted.

IMPROVEMENTS BY SPECIAL ASSESSMENT.

AN ACT TO ENABLE PARK COMMISSIONERS OR PARK AUTHORITIES TO MAKE LOCAL IMPROVEMENTS AND PROVIDE FOR THE PAYMENT THEREFOR. [APPROVED JUNE 24, 1895. IN FORCE JULY 1, 1895.]

Section 1. **Special assessments—Special taxes.** Be it enacted by the People of the State of Illinois, represented in the General Assembly, That all and any boards of park commissioners or park authorities now existing, or hereafter established for the purpose of locating, establishing, inclosing, improving or maintaining any public park, boulevard, driveway, highway or street, are hereby vested with power and authority to levy, assess and collect special assessments or special taxes on contiguous property, or general taxes, or both, or otherwise, for the purpose of improving any boulevard, highway, driveway or street which may be now

or may hereafter come under their control in any manner whatsoever.

Sec. 2. **Powers additional to others.** The power and authority hereby vested are hereby declared to be additional to and not in limitation of any power and authority heretofore vested in said park commissioners or park authorities.

Sec. 3. **Assessment—How made.** Whenever any such improvement shall be determined upon by said park commissioners or park authorities, they shall provide for the same by ordinance to be entered upon their records, and they shall by the same ordinance prescribe whether the same shall be made by special assessment or special taxation on contiguous property, or general taxation, or both, or otherwise.

Sec. 4. **Proceedings.** When the ordinance under which said improvement is ordered to be made shall provide that such improvement shall be made by special assessment, the proceedings for the making and levying of the same shall be as provided hereinafter in this act.

Sec. 5. **Character, etc., of improvement.** Such ordinance providing for said improvement shall specify the nature, character, locality and description of such improvement.

Sec. 6. **Estimate of cost.** The said park commissioners or park authorities shall make an estimate of the cost of the improvement contemplated by such ordinance, including labor, materials and all other expenses attending the same, and the cost of making and

levying the said assessment, and shall enter a report thereof upon their records.

Sec. 7. **Order for proceedings in court.** Upon such ordinance being passed, and said report made and recorded as aforesaid, said park commissioners or park authorities may order a petition to be filed by its secretary, or such other officer as it may direct, in the County Court of their county, for proceedings to assess the costs of such improvements in the manner provided herein.

Sec. 8. **Petition.** Said petition shall be in the name of said park commissioners or park authorities and shall recite the ordinance for the proposed improvement, and such report of estimate of the cost thereof, and shall pray that the cost of such improvement shall be assessed in the manner provided by law.

Sec. 9. **Assessment.** Upon the filing of such petition, it shall be the duty of said commissioners or park authorities to estimate what proportion of the total cost of said improvement will be of benefit to the public and what proportion thereof will be of benefit to the property to be benefited, and apportion the same between the district subject to the maintenance of the park or parks under the control of said commissioners or park authorities, so that each shall bear its relative, equitable proportion; and having found said amounts, to apportion and assess the amount so found to be of benefit to the property upon the several lots, blocks, tracts and parcels of land in the proportion in which they will be severally benefited by such improvement: Provided, No lot, block, tract or parcel of land shall be

assessed a greater amount than it will be actually benefited.

Sec. 10. **Assessment roll.** The said commissioners or park authorities shall also make or cause to be made an assessment roll, in which shall appear the names of the owners, so far as known, a description of each lot, block, tract or parcel of land, and the amount assessed as special benefits thereto, and in which they shall set down as against the said park district the amount they shall have found as public benefit, and they shall certify such assessment roll to the said court at least ten days before the first day of the term at which a final hearing thereon shall be had.

Sec. 11. **City special assessment law applicable.** The remainder of the proceedings in respect to such special assessment shall be in accordance with Article IX of the act of the General Assembly entitled "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, and all acts amendatory thereof, so far as the same may be applicable; and all acts provided therein to be performed by the city or village shall be performed by the said park commissioners or park authorities, and all acts provided therein to be performed by commissioners to be appointed by the court shall also be performed by said park commissioners or park authorities; and where it is therein provided that the city council or the board of trustees, in case of a village, shall be named in any of said proceedings or notices or records relating thereto, the said park commissioners or park authorities shall be named instead; and like notices of said proceedings shall be given and published by said park commissioners as is therein provided, and an affidavit of one or more of said

park commissioners or park authorities of the giving of notices, and a certificate of publication of notice be filed as provided therein, and the same time shall be allowed for the filing of objections to the confirmation on the part of parties interested.

Sec. 12. **Hearing.** In such proceedings the court shall have the same powers and authority as is provided in said Article IX for proceedings thereunder, and the hearing of the application for the confirmation of said assessment shall be had in the same manner, and appeals from any judgment entered thereon shall be taken to the same court and in the same manner as provided therein.

Sec. 13. **Roll and judgment—How certified.** The said assessment roll and judgment thereon shall be certified to the officer of said park commissioners or park authorities authorized to collect said special assessment in the same manner as is provided in said Article IX; and a like notice shall be given by said collector, and said special assessment shall be collected in the same manner as provided therein, and a like report of delinquent list made to the general officer of the County authorized to collect State and County taxes, made up in the same manner as provided therein.

Sec. 14. **Application for judgment—What laws govern.** Said general officer shall proceed to obtain judgment for said delinquent special assessment in the same manner and within and at the same time as is provided in said Article IX, and shall be governed by the same laws in respect thereto as is provided for therein.

Sec. 15. **Sales.** Sales of property for unpaid delinquent special assessments shall be made in the same manner as provided by said Article IX, and redemption from said sales shall be made in the same manner and upon the same terms and payment of the same rates as are applicable to sales therein provided for; and officers respectively making collections of said special assessment, and making sales thereunder, shall be subject to the same rules, regulations, be entitled to the same compensation and subject to the same penalties as is provided for in said Article IX.

Sec. 16. **Park Commissioners may buy in.** Park Commissioners or park authorities interested in the collection of any tax or assessment, may become a purchaser at any sale of real or personal property to enforce the collection of the same, and may, by ordinance, authorize and make it the duty of one or more officers, to be designated by them, to attend such sales and bid thereat in behalf of said park commissioners or park authorities.

Sec. 17. **Supplemental assessments.** New special assessments and supplemental special assessments may be levied and assessed in all cases where the same are or may be authorized in said Article IX, and the same shall be levied, assessed and collected as is above provided in cases of original special assessments, and all the provisioning of said Article IX for said new assessments, and supplemental assessments, shall apply to such proceedings to be taken hereunder.

Sec. 18. **Contracts.** All the provisions of said Article IX in respect to contracts for making any such improvement, and for the letting of such contracts, and in respect to the lien of said special assessments and

as to the collection by suit of said special assessments, the dividing the same into installments, and interest thereon, and the collection thereof, the payments thereon, the notice thereof, the confirmation thereof and the payment of work done for such improvement, vouchers therefor and rights of all parties thereunder, the disposition of surplus moneys arising from such special assessments, and the payments for compensation in condemnation proceedings and advancements to pay for private property taken or damaged from the general fund of such city or village, shall each and all be applicable to such proceedings taken by said park commissioners or park authorities.

Sec. 19. **Condemnation proceedings—Special assessment.** Wherever any such park commissioners or park authorities shall be vested with power to take or damage private property for any purpose whatever, and shall apply to any court for the purpose of making just compensation therefor, they may file in the same proceedings a supplemental petition praying for a special assessment for the purpose of raising the amount necessary to pay the compensation and damages which may be or shall have been awarded for the property taken or damaged, with the costs of the proceedings; and thereupon the court shall have power to, and shall proceed as in other cases of special assessment provided for in said Article IX, and herein: Provided, that all the provisions of said article in reference to the payment for lands to be taken or damaged, and the hearing by the court in respect to said payment, and in respect to ordering writs of possession or in dismissing such condemnation proceedings, shall be applicable in such case.

Sec. 20. **New assessments.** Where in any case such park board or park authorities having authority to improve any street or streets, or parts thereof, and to pay for the improvement thereof by special assessment, and said improvement shall have been made or partly completed and a special assessment levied therefor shall have been set aside by a court of competent jurisdiction, or the provision in any ordinance for the payment for said improvement by special assessment shall have failed or been declared void by any court of competent jurisdiction, then, and in any such case, the said park commissioners or park authorities are hereby vested with power to levy, assess and collect a new special assessment on property benefited by said improvement or completed portion thereof, in the same manner as in other cases, and the lots, blocks, tracts or parcels of land found benefited by said improvement or the completed portion thereof, shall each severally be liable to pay for said benefits to the same extent and in the same proportion as in other cases: Provided, that the provisions and all proceedings in respect to such new assessments shall relate to and be in force in all cases in which at the time of the passage of this act work has been completed or partially completed under any special assessment proceedings or attempted special assessment proceedings heretofore levied, or collected, or attempted to be levied and collected by any such board of park commissioners or park authorities; And, provided further, that such new assessments in such cases shall be levied within seven years from the date of confirmation or attempted confirmation of such original proceedings.

Sec. 21. **Proceedings for new assessment.** In such proceedings for any new assessment it shall be the duty of the said commissioners to credit on the assessment roll, at or before filing the same in court, all payments that may have been made on any previous assessment, or installments thereof, for said improvement, by, for, or on account of any lot, block, tract or parcel of land assessed therein, whether paid by sale thereof or otherwise; and any objections to the confirmation of such assessment roll shall include objections to the allowance of credits as appears by said assessment roll, if any there be.

Sec. 22. **What ordinance shall provide.** When the ordinance under which said improvements are ordered to be made shall provide that such improvement shall be made by special taxation of contiguous property, the same shall be levied, assessed and collected in the way provided in the sections of this act providing for the mode of making, levying, assessing and collecting special assessments.

LANDS.

LANDS TAKEN FOR PARK PURPOSES. RESOLUTION PASSED MAY 5, 1869.

Whereas, John M. Wilson, George W. Gage, Chauncey T. Bowen, Leverett B. Sidway and Paul Cornell, South Park Commissioners, did, on the fourth day of May, A. D. 1869, personally examine the lands described in the South Park Act, as modified by the act supplemental to and amendatory of said act, and being all present at the meeting now being held at the office of the Board, on this fifth day of May, A. D. 1869. On motion of George W. Gage, seconded by Chauncey T. Bowen, it was unanimously

Resolved, that they do now select the lands designated in said act, as modified by said act supplemental and amendatory for said South Parks, said lands being described as follows:

"Commencing at the southwest corner of Fifty-first street and Cottage Grove avenue, running thence south, along the west side of Cottage Grove avenue to the south line of Fifty-ninth street; thence east along the south line of Fifty-ninth street, to the east line of Hyde Park avenue; thence north on Hyde Park avenue to Fifty-sixth street; thence east along the south line of Fifty-sixth street to Lake Michigan; thence southerly along the shore of the lake to a point due east of the center of section twenty-four (24), in township thirty-eight (38) north, range fourteen (14); thence west through the center of said section twenty-four (24) to Hyde Park avenue; thence north on the east line of

Hyde Park avenue to the north line of Sixtieth street, so called; thence west on the north line of Sixtieth street, so called, to Kankakee avenue; thence north on the east line of Kankakee avenue to Fifty-first street; thence east to a point to the place of beginning.

Also a piece of land commencing at the northeast corner of Kankakee avenue and Fifty-fifth street, running thence west, a strip two hundred feet wide, south of and adjoining the north line of said Fifty-fifth street, along said Fifty-fifth street to the line between ranges thirteen (13) and fourteen (14) east; thence north, east of and adjoining said line a strip two hundred (200) feet wide to the Illinois & Michigan Canal;

Also a parcel of land beginning at the southwest corner of Douglas Place and Kankakee avenue, running thence south a strip of land 132 feet wide, along the west side of said Kankakee avenue, to a point 150 feet south of the south line of Fifty-first street;

Also a strip of land commencing at the intersection of Cottage Grove avenue and Fifty-first street, running thence east 100 feet in width on each side of center line of Fifty-first street, to a point 100 feet east of the center line of Drexel avenue;

Also a strip of land extending north from the intersection of Fifty-first street with Drexel avenue, 100 feet in width, on each side of the center line of said avenue to the north line of Forty-third street; thence northerly, a strip of land 200 feet in width, till it meets or intersects with Elm street, in Cleaverville; thence northerly along said Elm street, 200 feet in width, west from the east line of said street to its intersection with Oakland avenue; said lands situate in and being a part of sections two (2), three (3), six (6), seven (7), eleven

(11), fourteen (14), sixteen (16), seventeen (17) and eighteen (18), the southeast quarter of section (10) and all of fractional section thirteen (13), except the north twenty-four 63-100 acres, the northeast quarter of section fifteen (15); the north half of section twenty-four (24), in township thirty-eight north, range fourteen east, and parts of sections thirty-one (31) and thirty-four (34), in township thirty-nine (39) north, range fourteen (14) east.

ALTERATION IN BOUNDARY LINES.

RESOLUTION PASSED MAY 8th, 1872.

Whereas, in the opinion of this Board, it is desirable to make certain alterations or changes in the location and boundary lines of the park laid out and established under the provisions of the Act of the General Assembly of this State, approved February 24th, 1869, entitled "An Act to provide for the location and maintenance of a park for the Towns of South Chicago, Hyde Park and Lake," and the Act amendatory of and supplementary to the first mentioned Act, which alteration and changes are severally as follows:

First. An alteration or change in the boundary lines of all that portion of said park lying west of a line 466 7-10 feet east of and parallel to the range line between ranges 13 and 14 east of the third principal meridian. Instead of the lines heretofore established, the boundary lines of all that portion of the said park lying west of the line above indicated, shall be as follows: Commencing at a point on the north line of Fifty-fifth street 466 7-10 feet east of the range line between ranges 13 and 14 aforesaid, running thence north on a line parallel to said range line 366 7-10 feet; running thence

west on a line parallel to the north line of Fifty-fifth street, 366 7-10 feet; running thence north on a line east of and parallel to the aforesaid range line and 100 feet distant therefrom, to the south line of Egan avenue; running thence west along the south line of Egan avenue and the same line extended west 200 feet; running thence south on a line west of and parallel to the aforesaid range line and 100 feet distant therefrom, to a point 366 7-10 feet north of the north line of Fifty-fifth street extended; running thence west on a line parallel to the north line of Fifty-fifth street extended 366 7-10 feet; running thence south on a line parallel to the aforesaid range line 933 4-10 feet; running thence east on a line parallel to the north line of Fifty-fifth street extended 933 4-10 feet; running thence north on a line parallel to the aforesaid range line 566 7-10 feet to the place of beginning.

Second. In addition to the land now embraced within the park limits in the south half of section 34, township 39 north of range 14, east of the third principal meridian, and in section 3 and the north half of section 10, township 38, north of range 14, east of the third principal meridian, there shall be annexed to and included within the boundaries of the said park, all that portion of Kankakee avenue, now or lately so called, which lies between the south line of Douglas Place and the south line of Fifty-first street; and also all that portion of lots nine (9), ten (10), and eleven (11), in Lavinia's Subdivision of the south half of the south half of the northeast quarter of section ten (10), township 38 north, range 14 east of the third principal meridian, lying west of a line drawn across said lots parallel to the east line of said Kankakee avenue and one hundred

and fifty feet east of and distant therefrom; and also all that portion of Fifty-first street lying south of and adjoining said last described parcel of ground.

Third: In addition to the lands now embraced within the park limits lying south of Fifty-sixth street and east of the Illinois Central Railroad, there shall be annexed to and included within the boundaries of the said park a strip of ground extending east from the east line of the Illinois Central Railroad Company's "right of way" fifty feet in width on each side of the center line of Fifty-seventh street to the east line of Hyde Park avenue.

Fourth. In addition to the lands now embraced within the park limits, lying at or near the intersection of Cottage Grove avenue with Fifty-first street, there shall be annexed to and included within the boundaries of the said park, the north half of block nine (9) in Drexel and Smith's subdivision of the west half of the northwest quarter and the west half of the west half of the southwest quarter of section eleven (11), township 38 north of range 14 east of the third principal meridan.

Fifth. There shall also be annexed and included within the boundaries of the said park a strip of land fifty (50) feet in width on each side of a line commencing at the intersection of the east line of Kankakee avenue, now or lately so called, with the center line of Oakwood avenue in the Town of Hyde Park, running thence easterly along the center line of said Oakwood avenue, as the same is laid out, to a point directly opposite the southeast corner of lot eleven (11) in block one (1) in Cleaverville addition, and running thence due east to Cottage Grove avenue; also all that part of lot one (1) in block four (4) in Cleaverville addition lying

north of the strip of land above described; also all that portion of said Oakwood avenue lying between Cottage Grove avenue and Kankakee avenue aforesaid.

Therefore, be it Resolved, That an application be made by petition to the "Circuit Court of Cook County" pursuant to the provisions of the statute in such case made and provided for an order granting leave to the said board of South Park Commissioners to make the several alterations and changes in the location and boundary lines of the said park which are above specified, and empowering the said board to acquire by purchase or condemnation such additional lands as the several alterations and changes aforesaid shall render necessary. And it is hereby directed that the attorneys of the board cause said application to be made immediately and due notice thereof to be published according to law.

ORDER IN THE CIRCUIT COURT.

ENTERED OF RECORD ON MAY 20, 1872.

APPLICATION OF THE SOUTH PARK COMMISSIONERS FOR LEAVE TO MAKE CERTAIN ALTERATIONS OR CHANGES IN THE LOCATION AND BOUNDARY LINES OF THE SOUTH PARK.

And now on this twentieth day of May, A. D. 1872, being the first day of the May term of the said Circuit Court, come the Board of South Park Commissioners, a body politic and corporate, duly organized under the laws of the State of Illinois, having control and supervision of the public park located and established in the towns of South Chicago, Hyde Park and Lake, in said County of Cook, pursuant to the provisions of the Act of the General Assembly of the State of Illinois, ap-

proved February 24th, A. D. 1869, entitled "An Act to provide for the location and maintenance of a park for the towns of South Chicago, Hyde Park and Lake," and the Act approved April 16th, 1869, amendatory of and supplementary to the first mentioned Act, and also in pursuance of a vote of the people of said towns of South Chicago, Hyde Park and Lake, at an election duly and lawfully held in each of said towns on the fourth Tuesday of March, A. D. 1869, at which election a majority of the legal voters of each of said towns voted in favor of the said park and of the ratification and adoption of the Act of the General Assembly first above mentioned: and present to the said court their petition in writing, therein and thereby praying that an order may be made by the said Circuit Court granting leave to said South Park Commissioners to make certain alterations or changes in the location and boundary lines of the said park, which alterations and changes are therein particularly set forth and are severally as follows:

First. An alteration or change in the location and boundary lines of all that portion of the said park lying west of a line 466 7-10 feet east of and parallel to the range line between ranges 13 and 14 east of the third principal meridian. Instead of the lines heretofore established, the boundary lines of all that portion of the said park lying west of the line above indicated, shall be as follows: Commencing at a point on the north line of Fifty-fifth street 466 7-10 feet east of the range line between ranges 13 and 14 aforesaid, running thence north, on a line parallel to the said range line, 366 7-10 feet, running thence west, on a line parallel to the north line of Fifty-fifth street, 366 7-10 feet; running thence

north, on a line east of and parallel to the aforesaid range line and 100 feet distant therefrom, to the south line of Egan avenue; running thence west, along the south line of Egan avenue and the same line extended west, 200 feet; running thence south, on a line west of and parallel to the aforesaid range line, and 100 feet distant therefrom, to a point 366 7-10 feet north of the north line of Fifty-fifth street extended; running thence west, on a line parallel to the north line of Fifty-fifth street extended, 366 7-10 feet; running thence south, on a line parallel to the aforesaid range line, 933 4-10 feet; running thence east, on a line parallel to the north line of Fifty-fifth street extended, 933 4-10 feet; running thence north, on a line parallel to the aforesaid range line, 566 7-10 feet to the place of beginning.

Second. In addition to the lands now embraced within the park limits lying in the south half of section 34, township 39 north of range 14 east of the third principal meridian and in section 3, and the north half of section 10, township 38 north of range 14 east of the third principal meridian, there shall be annexed to and included within the boundaries of said park, all that portion of Kankakee avenue, now or lately so-called, which lies between the south line of Douglas Place and the south line of Fifty-first street, and also all that portion of lots nine (9), ten (10), and eleven (11), in Lavinia's subdivision of the south half of the south half of the northeast quarter of section 10, township 38 north of range fourteen east of the third principal meridian, lying west of a line drawn across said lots, parallel to the east line of said Kankakee avenue and also all that portion of Fifty-first street lying south of and adjoining said last described parcel of ground.

Third. In addition to the lands now embraced within the park limits south of Fifty-sixth street and east of the Illinois Central Railroad, there shall be annexed to and included within the boundaries of the said park, a strip of ground extending east from the east line of the Illinois Central Railroad Company's "right of way" 50 feet in width on each side of the center line of Fifty-seventh street to the east line of Hyde Park avenue.

Fourth. In addition to the lands now embraced within the park limits lying at or near the intersection of Cottage Grove avenue with Fifty-first street there shall be annexed to and included within the boundaries of the said park, the north half of block nine (9) in Drexel and Smith's subdivision of the west half of the northwest quarter and the west half of the west half of the southwest quarter of section 11, township 38 north of range 14 east of the third principal meridian.

Fifth. There shall also be annexed to and included within the boundaries of the said park a strip of land 50 feet in width on each side of a line commencing at the intersection of the east line of Kankakee avenue, now or lately so-called, with the center line of Oakwood avenue, in the town of Hyde Park, running thence easterly along the center line of said Oakwood avenue, as the same is now laid out, to a point directly opposite to the southeast corner of lot eleven in block one in Cleaverville addition and running thence due east to Cottage Grove avenue; also all that part of lot one in block four in Cleaverville addition lying north of the strip of land above described and also all that portion of said Oakwood avenue lying between Cottage Grove and Kankakee avenue aforesaid.

And it appearing to the court that due and legal no-

tice of the said application has been given by the said South Park Commissioners by publication in the Chicago Evening Journal, a newspaper of general circulation published in the City of Chicago in said County of Cook, according to the provisions of the statute in such case made and provided, and the court having duly considered the said petition, and carefully examined and investigated the several alterations and changes in the location and boundary lines of the said park specified and prayed for in the said petition; and after hearing all persons interested who appeared having come to the conclusion that the several alterations or changes in the location and boundary line of the said park above specified and set forth would be for the public interest, *It is thereupon considered, and ordered by said Court*, no persons appearing to object thereto, that leave be and the same is hereby granted to the said South Park Commissioners to make the several alterations or changes in the location and boundary lines of the said park prayed for in the said petition and hereinbefore particularly specified and set forth.

And it is further considered and ordered by the Court that full power and authority be, and the same is hereby granted to the said South Park Commissioners to acquire by purchase, or by condemnation under any law of the state for acquiring lands for public use, all such additional land as shall be required to make and carry into effect the several alterations or changes aforesaid.

CHANGES IN THE BOUNDARY LINES OF THE SOUTH PARKS. RESOLUTION OF SOUTH PARK COMMISSIONERS, PASSED JUNE 28, 1872.

Resolved, That the following alterations or changes in the location of the boundary lines of the South Park, authorized by the Circuit Court of Cook County, upon the petition of the South Park Commissioners presented to said court on the twentieth day of May, 1872, be and the same are hereby adopted, to-wit:

First. In addition to the lands now embraced within the park limits lying in the south half of section 34, township 39 north, range 14, east of the third principal meridian, and in section 3, and the north half of section 10, township 38 north, range 14, east of the third principal meridian, there shall be annexed to and included within the boundaries of the said park, all that portion of Kankakee avenue, now or lately so called, which lies between the south line of Douglas Place and the south line of Fifty-first street, and also all that portion of lots nine (9), ten (10) and eleven (11), in Lavinia & Co.'s subdivision of the south half of the south half of the northeast quarter of section ten (10), township 38 north, range 14, east of the third principal meridian, lying west of a line drawn across said lots parallel to the east line of Kankakee avenue, and one hundred and fifty feet east of and distant therefrom; and, also, all that portion of Fifty-first street, lying south of and adjoining said last described parcel of ground.

Second. In addition to the lands now embraced within the park limits, lying south of Fifty-sixth street and east of the Illinois Central Railroad, there shall be annexed to and embraced within the boundaries of said park, a strip of ground extending east from the east

line of the Illinois Central Railroad Company's "right of way," 50 feet in width on each side of the center line of Fifty-seventh street to the east line of Hyde Park avenue.

Third. In addition to the lands now embraced within the park limits, lying at or near the intersection of Cottage Grove avenue with Fifty-first street, there shall be annexed to and included within the boundaries of the said park, the north half of block nine (9), in Drexel and Smith's subdivision of the west half of the northwest quarter, and the west half of the west half of the southwest quarter of section 11, township 38 north, range 14, east of the third principal meridian.

Fourth. There shall be annexed to and included within the boundaries of the said park, a strip of land 50 feet in width on each side of a line commencing at the intersection of the east line of Kankakee avenue, now or lately so called, with the center line of Oakwood avenue, in the town of Hyde Park; running thence easterly along the center line of said Oakwood avenue, as the same is now laid out, to a point directly opposite to the southeast corner of lot eleven (11), in block one (1), in Cleaverville addition, and running thence due east to Cottage Grove avenue: also all that part of lot one (1), in block four (4), in Cleaverville addition, lying north of the strip of land above described: and also all that portion of said Oakwood avenue lying between Cottage Grove avenue and Kankakee avenue, aforesaid, and be it further

Resolved, that a map showing the aforesaid alterations or changes, be forthwith made, acknowledged and filed for record, in the office of the Recorder of Deeds of the County of Cook.

MICHIGAN AVENUE AND THIRTY-FIFTH STREET BOULEVARDS.

RESOLUTION OF THE SOUTH PARK COMMISSIONERS, PASSED JULY 15th, 1879.

Resolved, that the Board of South Park Commissioners do hereby select and take, in accordance with the act of the General Assembly of the State of Illinois, entitled, "An Act to enable Park Commissioners or corporate authorities to take, regulate, control and improve public streets leading to public parks; to pay for the improvement thereof, and in that behalf to make and collect a special assessment, or special tax on contiguous property," approved and in force April 9th, 1879; that part of Michigan avenue extending from the south line of Jackson street to the south line of Thirty-fifth street, and that part of Thirty-fifth street extending from the east line of Michigan avenue to the east line of Grand boulevard, in the City of Chicago, County of Cook and State of Illinois, being parts of connecting streets leading to and connecting with the South Park, the consent of the corporate authorities of the City of Chicago having been obtained and the consent in writing of the owners of a majority of the frontage of all lots and lands abutting on said streets as far as taken, having been obtained as required by said act.

ORDINANCE GIVING CONSENT TO THE SOUTH PARK COMMISSIONERS, TO TAKE, REGULATE, CONTROL AND IMPROVE MICHIGAN AVENUE FROM THE SOUTH LINE OF JACKSON STREET TO THE SOUTH LINE OF THIRTY-FIFTH STREET, AND THIRTY-FIFTH STREET FROM THE EAST LINE OF MICHIGAN AVENUE TO THE EAST LINE OF GRAND BOULEVARD. [PASSED AND IN FORCE JUNE 23, 1879.]

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

Section 1. That Whereas, the General Assembly has passed a certain act which was duly approved April 9, A. D. 1879, and which, with the title thereto, is in the words and figures following: (See Act of the General Assembly approved April 9th, A. D. 1879.

And Whereas, the Board of South Park Commissioners are about selecting and taking for the use and purpose in the said act mentioned that part of Michigan avenue extending from the south line of Jackson street to the south line of Thirty-fifth street, and that part of Thirty-fifth street extending from the east line of Michigan avenue to the east line of the Grand boulevard, and the consent in writing of the owners of a majority of the frontage of the lots and lands abutting on each of the said streets as far as taken or proposed to be taken by said board having been obtained, consent is hereby given and granted to the said Board of South Park Commissioners to take, regulate, control and improve the before described parts of Michigan avenue and Thirty-fifth street respectively, in manner and form provided in the said act of the General Assembly. And full power and authority is hereby granted to said Board of Park Commissioners to control, improve and maintain the parts of said streets so to be taken as aforesaid for the purpose of carrying out the provisions of

the said act of the General Assembly: Provided, however, that nothing in this ordinance contained shall be construed as a waiver or relinquishment by or on the part of the said city of any of its rights or powers in relation to the laying of water and gas mains and pipes and the building and repairing of sewers, tunnels and drains in said streets, and the regulating of openings for the same. All powers which said city now has in relation to water and gas mains, pipes and sewers and their connections and the regulation of the same, and the openings for the same in the streets and alleys of said city being hereby expressly reserved as to the said parts of Michigan avenue and Thirty-fifth street in as ample a manner as if the aforesaid consent were not given. Amendment, provided, that the estimated costs of said first improvement shall include a sum sufficient to lay a pavement of the best quality, stone curbing, a permanent sidewalk of uniform width, and such shade trees, shrubbery, additional lamp posts, and other additions as may be deemed necessary to make the same in every respect a thoroughly finished boulevard.

Sec. 2. Unless the said Board of Park Commissioners shall within thirty days from the approval hereof, select and take the said parts of streets for the purposes aforesaid, this ordinance shall cease to be of any force or effect, and the consent given by section (1) aforesaid shall be deemed to be withdrawn.

Sec. 3. This ordinance shall be in force from and after its passage.

RESOLUTION OF THE SOUTH PARK COMMISSIONERS, PASSED DECEMBER 31, 1884.

Resolved, That this Board does now select and take that part of Michigan avenue lying between the south line of Thirty-fifth street and the north line of Fifty-fifth street for the purpose of making the same a boulevard or driveway, in accordance with the laws of the State of Illinois and the ordinances of the City of Chicago and the Village of Hyde Park.

ORDINANCE GIVING CONSENT TO THE BOARD OF SOUTH PARK COMMISSIONERS TO TAKE, REGULATE, CONTROL AND IMPROVE MICHIGAN AVENUE FROM THE SOUTH LINE OF THIRTY-FIFTH STREET TO THE CENTER LINE OF THIRTY-NINTH STREET, PURSUANT TO THE ACT OF THE GENERAL ASSEMBLY PASSED APRIL 9th, A. D. 1879. [PASSED AND IN FORCE OCTOBER 17, 1884.]

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

Section 1. That Whereas the General Assembly has passed an act which was duly approved April 9, A. D. 1879, and which with the title thereto is in the words and figures following: (See act of General Assembly approved April 9, 1879.)

And Whereas, the Board of South Park Commissioners are about selecting and taking for the uses and purposes in the said act mentioned, that part of Michigan avenue extending from the south line of Thirty-fifth street to the center line of Thirty-ninth street, in the City of Chicago, and a consent in writing of a majority of the frontage of the lots and lands abutting on said Michigan avenue so far as taken, or proposed to be taken by said board, having been obtained, and the Village of Hyde Park having given and granted con-

sent to said Board of South Park Commissioners to take, regulate and control and improve that part of Michigan avenue extending from the center line of Thirty-ninth street to the north line of Fifty-fifth street or Garfield boulevard.

Now, therefore, consent is hereby given and granted to this said Board of South Park Commissioners to take, regulate, control and improve the before described part of Michigan avenue, located between the south line of Thirty-fifth street and the center line of Thirty-ninth street, in the City of Chicago, in manner and form provided in this said act of the General Assembly, for the purpose of connecting the City of Chicago at the intersection of Michigan avenue and Thirty-fifth street with said Garfield boulevard.

Provided, however, that nothing in this ordinance contained, shall be construed as a waiver or relinquishment by or on the part of said city of any of its rights or powers in relation to the laying of water pipes or gas mains and pipes and the building and repairing of sewers in said Michigan avenue, and the regulating of openings for the same. All powers which said city now has in relation to water and gas pipes and sewers and their connections, and the regulation of the same, and the openings for the same in streets and alleys of said city, being hereby expressly reserved as to the said part of Michigan avenue in as ample a manner as if the aforesaid consent were not given.

Provided that the estimated cost of said first improvement shall include a sum sufficient to lay a pavement of the best quality, stone curbing, a permanent sidewalk of a uniform width, and such shade trees, shrubbery, additional lamp posts, and other additions

as may be deemed necessary to make the same in every respect a thoroughly finished boulevard.

Sec. 2. Unless the said Board of South Park Commissioners shall within six months from the approval hereof, select and take the said part of Michigan avenue for the purpose aforesaid, this ordinance shall cease to be of any force or effect and the consent hereby given by section one aforesaid shall be deemed to be withdrawn.

Sec. 3. This ordinance shall be in force from and after its passage.

ORDINANCE GIVING CONSENT TO THE BOARD OF SOUTH PARK COMMISSIONERS TO TAKE, REGULATE, CONTROL AND IMPROVE MICHIGAN AVENUE FROM THE CENTER LINE OF THIRTY-NINTH STREET TO THE NORTH LINE OF FIFTY-FIFTH STREET, PURSUANT TO THE ACT OF THE GENERAL ASSEMBLY PASSED APRIL 9TH, A. D. 1879. [PASSED JULY 26, 1884.]

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF HYDE PARK:

Section 1. That whereas the General Assembly has passed a certain act, which was duly approved April 9th, A. D. 1879, and which, with the title thereto, is in the words and figures following: (See act of General Assembly, approved April 9, 1879.)

And whereas the Board of South Park Commissioners are about selecting and taking for the uses and purposes in the said act mentioned, that part of Michigan avenue extending from the center line of Thirty-ninth street to the north line of Fifty-fifth street, or Garfield boulevard, and the consent in writing of the owners of a majority of the frontage of the lots and lands abutting on said Michigan avenue so far as taken or pro-

posed to be taken by said board having been obtained, consent is hereby given and granted to the said Board of South Park Commissioners to take, regulate, control and improve the before described part of Michigan avenue in manner and form provided in the said act of the General Assembly.

Provided, however, that nothing in this ordinance contained shall be construed as a waiver or relinquishment by or on the part of said village of any of its rights or powers in relation to the laying of water or gas mains and pipes and the building and repairing of sewers in said street and the regulating of openings for the same. All powers which said village now has in relation to water and gas pipes and sewers and their connections and the regulation of the same and the openings for the same in streets and alleys of said village being hereby expressly reserved as to the said part of Michigan avenue in as ample a manner as if the aforesaid consent were not given.

Provided that the estimated cost of said first improvement shall include a sum sufficient to lay a pavement of the best quality, stone curbing, a permanent sidewalk of uniform width, and such shade trees, shrubbery, additional lamp posts, and other additions as may be deemed necessary to make the same in every respect a thoroughly finished boulevard.

Provided further, that said Board of South Park Commissioners shall not in any one year make an assessment for the improvement hereby contemplated of more than half a mile in length of said portion of said Michigan avenue, and said improvement to be commenced at Thirty-ninth street and continued in continuous order to the south.

And provided further that no improvement shall be made on any portion of said avenue described herein until the sewers, gas pipes and water pipes shall have been constructed and laid.

And provided further that no assessment shall be made for the improvement of any portion of said avenue south of Thirty-ninth street until an assessment shall have been made for the improvement thereof between Thirty-ninth and Thirty-fifth streets.

Sec. 2. Unless the said Board of Park Commissioners shall, within six months from the approval hereof, select and take the said part of said street for the purpose aforesaid, this ordinance shall cease to be of any force or effect, and the consent hereby given by section 1 aforesaid shall be deemed to be withdrawn.

EAST JACKSON STREET.

AN ORDINANCE TO ENABLE THE SOUTH PARK COMMISSIONERS TO TAKE, REGULATE, CONTROL AND IMPROVE EAST JACKSON STREET, FROM THE EAST LINE OF THE CHICAGO RIVER TO THE WEST LINE OF MICHIGAN AVENUE, IN THE TOWN OF SOUTH CHICAGO, IN THE CITY OF CHICAGO, AND STATE OF ILLINOIS. [PASSED MAY 18, 1896.]

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

Section 1. That, whereas, the General Assembly of the State of Illinois has passed an act entitled "An Act to enable park commissioners or park authorities to take, regulate, control and improve public streets and to pay for the improvement thereof," approved June 21, 1895, in force July 1, 1895; and

Whereas, The Board of South Park Commissioners are about selecting and taking for the uses and purposes in said act mentioned, that part of East Jackson

street extending from the east line of the Chicago River to the west line of Michigan avenue, in the Town of South Chicago, in the City of Chicago:

Now, therefore, the consent of the corporate authorities having control of said street be, and the same is hereby given and granted to the said South Park Commissioners to take, regulate, control and improve the before described part of East Jackson street, between the east line of the Chicago River and the west line of Michigan avenue, in the Town of South Chicago, in the City of Chicago, in manner and form provided in said act of the General Assembly, for the purpose of forming a boulevard connection between the park system in said Town of South Chicago and the park system in the Town of West Chicago, both of said park systems being in the City of Chicago.

Sec. 2. It is expressly provided, however, that while the consent and authority of the city is hereby given to said South Park Commissioners to take, regulate, control and improve said street for boulevard purposes, said South Park Commissioners shall permit, with reasonable regulation, the use of said street hereinbefore described for traffic teaming on said roadway for the use and benefit of the abutting owners of said property, any rule, regulation or ordinance of said South Park Commissioners to the contrary notwithstanding: and, Provided further, that this ordinance, and the consent hereby given, is upon the express condition precedent that said South Park Commissioners, or their successor, or successors, shall never grant or permit the construction of any railroad track or tracks of any kind in, along or upon any part of said street hereby granted.

Sec. 3. It is also expressly provided that nothing in

this ordinance contained shall be construed as a waiver or relinquishment on the part of said city of any of its rights or powers in relation to the laying of water supply pipes and the building and repairing of sewers and the regulation of openings for the same in said East Jackson street.

All powers which the city now has in relation to water and gas pipes and sewers and their connections, and the regulation of the same and the openings of the same in the streets and alleys in said street, are hereby expressly reserved to the city as to that part of East Jackson street, in as ample a manner as if the aforesaid consent were not given.

And Provided further, that nothing in this ordinance contained shall be construed as a waiver or relinquishment on the part of said city of any of its rights in and to any of the underground pipes now in said street.

Sec. 4. Unless said Board of South Park Commissioners shall within six (6) months from the approval hereof, select, take and accept said East Jackson street in manner and form as by law provided and upon the terms and conditions aforesaid, then this ordinance to be of no force or effect, and the consent hereby given shall be deemed to be withdrawn.

Sec. 5. This ordinance shall be in force from and after its passage.

AN ORDINANCE TO AMEND SECTION ONE (1) OF AN ORDINANCE ENTITLED "AN ORDINANCE TO ENABLE THE SOUTH PARK COMMISSIONERS TO TAKE, REGULATE, CONTROL AND IMPROVE EAST JACKSON STREET, FROM THE EAST LINE OF THE CHICAGO RIVER TO THE WEST LINE OF MICHIGAN AVENUE, IN THE TOWN OF SOUTH CHICAGO, IN THE CITY OF CHICAGO AND STATE OF ILLINOIS," PASSED MAY 18TH, 1896. [PASSED OCTOBER 19th, 1896.]

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

Section 1. That section one (1) of an ordinance entitled "An ordinance to enable the South Park Commissioners to take, regulate, control and improve East Jackson street, from the east line of the Chicago River to the west line of Michigan avenue, in the Town of South Chicago, in the City of Chicago and State of Illinois," passed May 18th, 1896, be amended so as to read as follows, to wit:

Section 1. That, whereas, the General Assembly of the State of Illinois has passed an act entitled "An act to enable park commissioners or park authorities to take, regulate, control and improve public streets and to pay for the improvement thereof," approved June 21, 1895, in force July 1, 1895; and

Whereas, The Board of South Park Commissioners are about selecting and taking for the uses and purposes in said act mentioned, that part of East Jackson street extending from the east line of the Chicago River to the east line of Michigan avenue, in the Town of South Chicago, in the City of Chicago:

Now, therefore, The consent of the corporate authorities having control of said street be and the same is hereby given and granted to said South Park Commissioners to take, regulate, control and improve the before described part of East Jackson street, between the

east line of the Chicago River and the east line of Michigan avenue, in the Town of South Chicago, in the City of Chicago, in manner and form provided in said act of the General Assembly for the purpose of forming a boulevard connection between the park system in the Town of South Chicago and the park system in the Town of West Chicago, both of said park systems being in the City of Chicago.

Sec. 2. This ordinance shall be in force from and after its passage.

AGREEMENT EXECUTED BY DIRECTION OF THE SOUTH PARK COMMISSIONERS AT ITS MEETING ON NOVEMBER 18TH, 1896.

In consideration of the approval by the mayor of the City of Chicago, concurrently with the execution and delivery of this agreement, of an ordinance passed by the City Council of said city at its meeting on the 16th day of November, making qualified provision for a free supply of water to the South Park Commissioners by said city, it is hereby agreed by said South Park Commissioners that they will expend not less than twenty thousand dollars ($20,000) hereafter in each year from the date hereof for the maintenance and improvement of that portion of Jackson street in said ordinance mentioned that at any time hereafter, when requested so to do by the comptroller of said city, they will make and submit to said comptroller statements showing their expenditures from time to time on account of said portion of said Jackson street that said ordinance shall be considered binding and effectual against said city (notwithstanding the taking of said Jackson street by said South Park Commissioners) only so long as said

South Park Commissioners shall fully comply with the terms of this agreement, and that upon failure of said South Park Commissioners to carry out this agreement said city shall be considered free to repeal or rescind said ordinance and to discontinue the free supply of water to said South Park Commissioners, and in such event said South Park Commissioners will not in any way resist such action upon the part of said city.

This agreement shall be delivered to the mayor of said city concurrently with his approval of said ordinance, and shall be fully binding and effectual against said South Park Commissioners upon such approval.

AN ORDINANCE SELECTING AND TAKING JACKSON STREET, FROM THE EAST LINE OF THE CHICAGO RIVER TO THE EAST LINE OF MICHIGAN AVENUE, IN THE TOWN OF SOUTH CHICAGO, IN THE CITY OF CHICAGO. [PASSED NOVEMBER 18TH, 1896.]

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. That, whereas, the owners of a majority of the lots and lands abutting on Jackson street from the east line of the Chicago River to the east line of Michigan avenue, in the Town of South Chicago, in the City of Chicago, and within the South Park District, have filed with the South Park Commissioners their consents respectively in writing, that the South Park Commissioners may select and take said Jackson street from the east line of Michigan avenue to the Chicago River, in accordance with the statute in such case made and provided.

And, whereas, the City Council of the City of Chicago, which is the proper corporate authority of said City, having control of such street, has, by proper ordinance

passed on the 18th day of May, 1896, as amended by an ordinance passed on the 19th day of October, 1896, consented that the South Park Commissioners may select and take said Jackson street from the east line of the Chicago River to the east line of Michigan avenue, in accordance with the provisions of the acts of the Legislature of the State of Illinois, upon the conditions in said ordinance set forth.

And, whereas, the City Council of the City of Chicago, as an inducement to the South Park Commissioners to select and take said part of said Jackson street, has by an ordinance duly passed, agreed that if the said South Park Commissioners shall select and take that part of said Jackson street as aforesaid, the City of Chicago will furnish to the South Park Commissioners the water needed to be used in connection with the parks and boulevards under the control of the South Park Commissioners, free of expense, but subject to such reasonable regulations and rules concerning the use thereof, as may be provided from time to time by the Commissioner of Public Works of the City of Chicago.

Now, therefore, Jackson street from the east line of the Chicago River to the east line of Michigan avenue, in the Town of South Chicago, in the City of Chicago, and in the South Park District, is hereby selected and taken by the South Park Commissioners, and full power and authority to regulate, control, improve and maintain said part of said Jackson street so selected and taken as aforesaid, are hereby vested in and assumed by the South Park Commissioners; provided, however, that the selection and taking of the said part of said Jackson street is, nevertheless, upon the terms and conditions set forth in the said ordinance of the City Coun-

cil of the City of Chicago passed on the 18th day of May, 1896, and that nothing in this ordinance contained shall be construed as a waiver or relinquishment by or on the part of the City of Chicago of any of its rights or powers in relation to the laying of water mains and pipes and connections therewith, and the construction of sewers and drains in said street, and the regulating of openings for the same, or the repair of said water mains, pipes, sewers or drains in said street, and all powers that the City of Chicago now has in relation to the water mains, pipes and sewers and their connections, and all underground pipes now in said street, and the regulation of the same, and the openings for the same in the streets of said city, are hereby expressly reserved to said City as to that part of said Jackson street hereinabove selected and taken by the South Park Commissioners.

Sec. 2. This ordinance shall be in force from and after its passage.

RESOLUTION, PASSED NOVEMBER 18TH, 1896.

Whereas, The South Park Commissioners has, by ordinance duly passed on this date, selected and taken Jackson street, in the City of Chicago, from the east line of the Chicago River to the east line of Michigan avenue, in accordance with the ordinance passed by the City Council of the City of Chicago, on the eighteenth day of May, 1896, as amended by an ordinance passed on the nineteenth day of October, 1896.

Now, therefore, be it resolved, that the South Park Commissioners hereby accept that part of said Jackson street aforesaid in accordance with said ordinance passed by the City Council of the City of Chicago.

LAKE FRONT PARK.

AN ORDINANCE GRANTING CONSENT TO THE SOUTH PARK COMMISSIONERS TO TAKE, REGULATE, CONTROL AND GOVERN ALL THAT PART OF THE LAKE FRONT PARK LYING SOUTH OF THE NORTH LINE OF JACKSON STREET, EXTENDED EAST. [PASSED JULY 27TH, 1896.]

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

Section 1. That consent be, and the same is hereby given to the South Park Commissioners to take, regulate, control and govern, in the same manner as it may govern other parks or boulevards under its control, all that certain public park situated in the Town of South Chicago, in the City of Chicago, and known as the Lake Front Park, or Lake Park, except, however, that portion lying north of the north line of Jackson street extended on a straight line east from Michigan avenue to the Illinois Central Railroad Company's right of way, and west of the right of way of the Illinois Central Railroad Company, including in the consent hereby given all land which may be hereafter reclaimed adjoining said park, and all right and control in and over any reclaimed land, and any water rights in connection with the said park which now exist, or which may be hereafter provided under any ordinance or contract now in existence. And the said South Park Commissioners shall have the right to control, improve and maintain so much of the said park as it is hereby authorized to take.

Sec. 2. This ordinance is passed subject to the provision that all the rights acquired by the Illinois Central Railroad Company under the ordinance passed by the City Council on the 21st day of October, 1895, and under the contract entered into between the City of Chicago and the Illinois Central Railroad Company, dated

the 20th day of November, 1895, shall be respected by the said South Park Commissioners, and all contracts entered into by the said Illinois Central Railroad Company in prosecution of the work to be done by it, and in accordance with the said above described agreement and ordinance prior to the acceptance of this ordinance by the South Park Commissioners shall be respected by the said South Park Commissioners. And the South Park Commissioners shall receive and enjoy all rights and benefits secured by said agreement and ordinance to the City of Chicago so far as the same apply to those parts of said park thus taken by said South Park Commissioners.

Sec. 3. The City of Chicago hereby reserves the right to lay and repair any water main, sewer or electric light conduit in the same manner and to the same extent as it now has authority to do so.

Sec. 4. This ordinance is passed and the grants therein contained are subject to the further provision and condition, to wit: That the Field Columbian Museum, a corporation organized and incorporated under the laws of the State of Illinois, shall have the right and privilege, and such right and privilege are hereby granted, to locate, construct and maintain its permanent buildings and structures for the use and occupancy of said museum upon the public park hereinbefore described under section 1 of this ordinance; and the following described piece, part or parcel of said park is hereby designated and set apart for such use and purpose of said Field Columbian Museum, to wit: a certain piece or parcel of land 1,300 feet in length by 900 feet in width, more particularly described and located as follows:—the west line thereof to be 225 feet

east of the present right of way and property of the Illinois Central Railroad.

It is further herein provided that the said Field Columbian Museum may enter into possession of said piece or parcel of land at any time whenever it desires to commence the construction of its said buildings or other improvements upon said premises and from that date to have the exclusive control and right of occupancy of said premises, together with all structures and other improvements thereon; and it is further provided that the public shall at all times have free and reasonable access to said museum grounds over and through said park hereinbefore described and by the terms of this ordinance transferred to said South Park Commission.

Sec. 5. And be it further ordained that in the event said South Park Commission shall decline to accept said transfer of said park as herein provided, then the grant to said Field Columbian Museum with all privileges contained in section 4 of this ordinance shall be and hereby is made perpetual, and it is hereby declared that said piece or parcel of land described in said section 4 is hereby dedicated to the uses and privileges of said Field Columbian Museum as in this ordinance expressed and contained.

Sec. 6. That portion of the lake front dedicated to the use of the Field Columbian Museum is so dedicated on the express condition that unless the work of construction of such museum shall be started within one year from the passage of this ordinance said space shall revert to the South Park Commissioners.

Sec. 7. All that portion of said Lake Front Park lying east of the easterly line of the Illinois Central

Railroad Company's right of way and lying north of the north line of Monroe street extended to the east limits of said park at the outer sea wall shall be and the same is hereby dedicated to the use of the local military companies of the Illinois National Guard for the purpose of parade grounds and a site for armory and other like uses by said military organizations.

Sec. 8. Unless the said South Park Commissioners shall within four months from the passage of this ordinance accept the same and take so much of said park as consent is hereby given for, this ordinance shall cease to be of any force or effect and the consent hereby given shall be deemed to be withdrawn.

Sec. 9. This ordinance shall be in force from and after its passage.

Which ordinance, on file in the office of the City Clerk of Chicago is endorsed as follows:

"The ordinance is approved upon condition that the South Park Commissioners shall, in their acceptance of said ordinance definitely locate the parcel of land granted and dedicated to the Field Columbian Museum in section 4 of this ordinance, and the acceptance by the proper officers of said museum of such location; and, in the event of the South Park Commissioners not accepting this ordinance, the parcel of land 1,300 feet by 900 feet granted and dedicated to the Field Columbian Museum is to center on Congress Street extended; and upon the further condition that the South Park Commissioners accept East Jackson street as per ordinance passed by the City Council of the City of Chicago under date of May 18th, 1896.*

(Signed) GEO. B. SWIFT,
Chicago, August 1st, 1896. Mayor."

*This ordinance having been passed by the City Council on July 27th, 1896, and having not been vetoed by the Mayor at the next regular meeting of the Council, which was held on September 14th, 1896, thereupon became a valid ordinance. The foregoing approval is not considered valid.

ORDINANCE TAKING UNDER THE CONTROL OF THE SOUTH PARK COMMISSIONERS A PART OF LAKE PARK IN THE CITY OF CHICAGO. [PASSED NOVEMBER 27TH, 1896.]

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. That, whereas, the owners of a majority of the frontage of the lots and lands abutting on Lake Park, otherwise known as Lake Front Park, in the Town of South Chicago, in the City of Chicago, and within the South Park District, and also the owners of a majority of the frontage of the lots and lands abutting upon that part of the said Lake Park, described as all of said Lake Park except that portion lying north of the north line of Jackson street extended on a straight line east from Michigan avenue to the Illinois Central Railroad Company's right of way, and west of the right of way of the Illinois Central Railroad Company, have filed with the South Park Commissioners, their respective consents in writing that the South Park Commissioners may take under its control, and regulate, control and govern in the same manner as it may govern other parks under its control, the said Lake Park or any part thereof.

And, whereas, the said Lake Park, otherwise known as Lake Front Park, is a public park under the control or jurisdiction of the City of Chicago.

And, whereas, the City Council of the City of Chicago, which is the proper corporate authority of said city having control of said Lake Park, has by an ordinance passed on the 27th day of July, 1896, consented that the South Park Commissioners may take, regulate, control and govern, in the same manner as it may govern other parks or boulevards under its control, all of said public park, known as the Lake Front Park or

Lake Park, except, however, that portion lying north of the north line of Jackson street extended on a straight line east from Michigan avenue to the Illinois Central Railroad Company's right of way and west of the right of way of the Illinois Central Railroad Company, including, as is set out in said ordinance, in the consent thereby given, all land which may be thereafter reclaimed adjoining the said park, and all right and control in and over any reclaimed land, and any water rights in connection with the said park which then existed, or which might be thereafter provided under any ordinance or contract then in existence.

Now, therefore, all that certain public park situated in the Town of South Chicago, in the City of Chicago, and within the South Park District, and known as the Lake Front Park or Lake Park, except, however, that portion lying north of the north line of Jackson street extended on a straight line east from Michigan avenue to the Illinois Central Railroad Company's right of way, and west of the right of way of the Illinois Central Railroad Company, including all land which may be hereafter reclaimed adjoining said park, and all right and control in and over any reclaimed land, and any water rights in connection with the said park which now exist or which may be hereafter provided under any ordinance or contract now in existence, is hereby taken under the control of the South Park Commissioners, and full power and authority to regulate, control, govern, improve and maintain said part of said Lake Park so taken as aforesaid, are hereby vested in and assumed by the South Park Commissioners: Provided, however, that the taking under control of the said part of said park is nevertheless subject to all of the legal

provisions, conditions and reservations set forth in the said ordinance passed by the City Council of the City of Chicago on the 27th day of July, 1896. And the South Park Commissioners hereby accept all rights and benefits secured to the City of Chicago, under a contract entered into between the City of Chicago and the Illinois Central Railroad Company, dated the 20th day of November, 1895, and an ordinance passed by the City Council of the City of Chicago on the 21st day of October, 1895, so far as the same applies to those parts of said park thus taken by the South Park Commissioners. And, provided further, that the South Park Commissioners does not by the filing of said consents of said property owners waive any of its legal rights in regard to the said part of said park so taken and the control and government thereof which it would otherwise have.

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

MISCELLANEOUS ORDINANCES, RESOLUTIONS AND COMMUNICATIONS.

ATCHISON, TOPEKA & SANTA FE RAILROAD.

ORDINANCE GRANTING RIGHT TO ATCHISON, TOPEKA & SANTA FE RAILROAD COMPANY IN CHICAGO TO CROSS WESTERN AVENUE BOULEVARD. [PASSED OCTOBER 12, 1887.]

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. That permission and authority be and the same is hereby granted to the Atchison, Topeka & Santa Fe Railroad Company in Chicago to lay down, operate and maintain a double-track railway across the Western Avenue boulevard in the Town of Lake, Cook County, Illinois, in the manner and subject to the provisions and restrictions hereinafter contained.

Sec. 2. The north rail of the said tracks shall be laid as nearly as practicable parallel to and not more than twelve feet south of the south line of Forty-ninth street as the same crosses said boulevard; the south rail of said tracks shall be laid parallel to and not more than twenty-two feet south of said north rail; and the said tracks shall be laid under the supervision and direction of the Superintendent of the South Park Commissioners.

Sec. 3. The said railroad company shall plank and keep in constant repair the spaces between said tracks to the full width of said boulevard.

Sec. 4. The said railroad company shall, whenever so directed by the South Park Commissioners, keep and

maintain a flagman at such crossing of said boulevard or shall construct and maintain gates thereat, as shall be required by the South Park Commissioners; and shall also use and maintain such other means in use by railway companies as shall from time to time be directed by said South Park Commissioners to insure the safety of persons using said boulevard.

Sec. 5. The said railroad company shall at no time and under no circumstances permit any of its cars or locomotives to stand upon said tracks to the obstruction of travel upon said boulevard, or any part thereof.

Sec. 6. The permission, authority and privileges hereby granted are upon the further express condition that the said railroad company, whenever so directed by the South Park Commissioners, in compliance with any general order in regard to the construction of viaducts and the lowering of the tracks crossing the boulevards under the control of said South Park Commissioners in any particular district, shall construct and maintain a viaduct over said boulevard and railway crossing, and shall lower the said tracks in the manner required by the said South Park Commissioners.

Sec. 7. The privileges hereby granted are upon the further express condition that said railroad company shall at all times comply with and be subject to all general and special ordinances of said South Park Commissioners, now in force or which may hereafter be passed concerning the use and occupation of streets and boulevards and the running and operating of cars thereon or across the same by railway companies, so far as the same apply or relate to the privileges hereby granted.

Sec. 8. The permission and authority hereby granted

are upon the further express condition that the said railroad company shall forever indemnify and save harmless the said South Park Commissioners from any and all legal actions, damages, decrees and the costs and expenses of the same which may be recovered or obtained against the South Park Commissioners for or by reason of, or growing out of, or resulting from the passage of this ordinance, or any matter or thing connected therewith, or by the exercise by the company of the privileges hereby granted, or from any act or acts of said company under or by virtue of this ordinance.

Sec. 9. Should the said company at any time fail to comply with the conditions and provisions of this ordinance, or any of them, or with the general ordinances of the South Park Commissioners, the said South Park Commissioners may order said tracks to be taken up and removed by said company and on its failure so to do within ten days after notice of such order, may cause the same to be taken up and removed at the expense of the said company.

Sec. 10. All the provisions of this ordinance shall be equally binding upon the said railroad company, its successors, assigns and lessees.

Sec. 11. This ordinance shall be in force only from and after the written acceptance of the same and its provisions by the said Atchison, Topeka & Santa Fe Railroad Company, in Chicago duly signed and under its corporate seal, shall be filed with the secretary of the South Park Commissioners. Unless such acceptance be so filed within thirty days of the time of the passage hereof this ordinance shall be null and void.

BONDS.

ORDINANCE TO ISSUE BONDS. [PASSED JANUARY 14, 1891.]

Whereas, The General Assembly of the State of Illinois passed an act entitled, "An act in relation to the World's Columbian Exposition," approved August 5, 1890, the third and fourth sections of which are as follows:

Section 3. In case the site or sites for the holding of the said World's Columbian Exposition, as finally located and fixed by the authorities in charge thereof, shall include the whole or any part of any public park which is, or may be, under the control and management of park commissioners, then and in that event it shall be competent, and express authority for that purpose is hereby granted to the park commissioners having the control and management of such public park to allow the use of the same or any part thereof, for the purposes of said World's Columbian Exposition, upon such terms and conditions as may be agreed upon between the said park commissioners and the authorities having the management of said exposition.

Sec. 4. The said park commissioners in charge of the public grounds or any part thereof, designated and selected as the site of the whole or part of the said exposition by the authorities in charge thereof, shall have and are hereby invested with full power and authority in their discretion to issue and sell interest-bearing bonds to an amount not exceeding five hundred thousand dollars, the proceeds of said bonds so issued

to be used and applied in improving the grounds under their control, selected as aforesaid for the use of said exposition, and authority is hereby expressly granted to the park commissioners issuing said bonds to levy and collect a direct annual tax upon the property within their jurisdiction sufficient to pay the interest on said bonds as it falls due, and also to pay and discharge the principal thereof, within twenty years from the date of issuing said bonds. All improvements made by the proceeds of said bonds shall become a part of the public property, to be held and controlled by the park commissioners issuing said bonds. But the power herein granted, shall not be exercised until the proposition to issue such bonds shall have been submitted to a vote of the legal voters of such park district, and receive a majority of the votes cast upon that proposition at such election. Public notice of the time and places for holding such election shall be given by the park commissioners of such district not less than twenty (20) days before the day appointed therefor, by publication in some newspaper of general circulation in said district, and by posting the same in at least ten of the most public places in said district, and the ballots shall read "For issuing the bonds," or "Against issuing the bonds." The said election shall be held and the ballots cast shall be counted, and the returns thereof be canvassed, by the same officers and in the same manner as in the case of election of county officers within said district.

And, whereas, the site for holding the said World's Columbian Exposition, as finally located and fixed by the authorities in charge thereof, includes Washington Park, Jackson Park, and the Midway Plaisance, public

grounds which are under the control and management of the South Park Commissioners;

And, whereas, the South Park Commissioners in charge of the said public grounds designated and selected as aforesaid as the site of a part of the said exposition by the authorities in charge thereof, have allowed the use of the same for the purposes of said World's Columbian Exposition upon the terms and conditions which have been agreed upon between the said South Park Commissioners and the authorities having the management of said exposition:

And, whereas, a proposition to issue the bonds referred to in said section 4 of the act above mentioned was submitted to a vote of the legal voters of the park district, consisting of the Towns of South Chicago, Hyde Park and Lake, at an election held therein on the fourth day of November, A. D. 1890, in the manner and after giving the public notice of the time and places of holding such election prescribed in said section:

And, whereas, the said proposition received a majority of the votes cast upon that proposition at such election;

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. That interest bearing coupon bonds to the amount of five hundred thousand dollars be issued by the South Park Commissioners, each of said bonds to be for the sum of one thousand dollars, bearing date on the first day of February, A. D. 1891, to be payable twenty years after the date thereof, and to bear interest at the rate of five per cent. per annum from the date thereof, said interest to be payable semi-annually, on the first day of August and the first day of February in each and every year on the presentation and

surrender of the proper interest coupons, forty of which coupons to evidence such interest shall be attached to each of said bonds; said bonds to be numbered consecutively from and including number one up to and including number five hundred; and the principal and interest of said bonds to be payable at the Chicago National Bank, in the City of Chicago, State of Illinois. Each of said bonds shall pass by delivery or may be registered at the office of the secretary of the South Park Commissioners, in the City of Chicago, State of Illinois; and after such registration of ownership, certified on said bond by the said secretary, no transfer shall be valid except on the transfer books kept for that purpose by the said secretary, unless the last transfer shall be to bearer, which shall restore transferability by delivery; but each of said bonds shall be subject to successive registrations and transfers to bearer at the option of each holder.

Sec. 2. Said bonds shall be executed under the seal of the South Park Commissioners and shall be signed by the said South Park Commissioners and countersigned by the secretary, and shall be sold at not less than par and accrued interest; provided, however, that if any of such bonds shall not be sold until after maturity of any of the interest coupons thereto attached, said matured interest coupons shall be cut off and canceled before delivery, and such bonds may be sold for not less than par, and the interest accrued on the next interest coupon becoming payable after such delivery.

Sec. 3. The proceeds arising from the sale of such bonds so issued shall be used and applied in improving the grounds under the control of the South

Park Commissioners selected as aforesaid for the use of said exposition.

Sec. 4. A direct annual tax shall be levied and collected upon the property within the jurisdiction of the South Park Commissioners, sufficient to pay the interest on said bonds as it falls due, and also pay the principal thereof within twenty years from the date of issuing said bonds; and, to that end, the South Park Commissioners shall levy in each year a direct annual tax sufficient to pay the annual interest on said bonds, and also to pay the proper proportion of the principal thereof, and the proceeds of such annual tax, after deducting the amount necessary to pay such annual interest, shall be set apart and applied by said South Park Commissioners to the purchase of bonds issued in accordance with the provisions of this ordinance, if the same can be obtained at par and accrued interest; and if the said South Park Commissioners cannot obtain said bonds, or sufficient of them at said price to absorb said sum so set apart, then from the outstanding bonds issued in accordance with the provisions of this ordinance there shall be selected by lot so many thereof as may be required to absorb the sum so set apart for a sinking fund. The said selection shall be made by the said South Park Commissioners at the end of each successive year, after the date of said bonds, or within one month thereof, in the presence of one of the Judges of the Circuit Court of Cook County, Illinois, who, with said corporate authorities, shall make and sign a certificate of the result thereof, which certificate shall be filed with the secretary. Notice of such selection and of the numbers of the bonds so selected shall be forthwith given by the secretary in

one or more newspapers published in the said City of Chicago; and, if said bonds so selected shall be registered, notice shall also be sent by mail to the address of the owners thereof, if shown upon the transfer books kept by the secretary. The interest on the bonds selected by lot, as aforesaid, for redemption shall cease from and after the time when the semi-annual interest on the same shall fall due next after the said selection is made. From the sum so set apart for a sinking fund there shall be paid the bonds so selected, as aforesaid, with interest until payment, or until the same shall cease, as aforesaid. The sum so set apart for a sinking fund shall not be used for any other purpose except for paying for bonds purchased and redeeming bonds selected, as aforesaid. All bonds purchased or redeemed under the provisions of this section shall be canceled, and a certificate thereof stating the number, date and amount of said canceled bonds shall, from time to time, be made by said corporate authorities and filed with the secretary.

Sec. 5. The credit of the South Park Commissioners is irrevocably pledged to the payment of all of said bonds and the interest thereon.

Sec. 6. The form of said bonds shall be as follows:

UNITED STATES OF AMERICA,

State of Illinois,

CHICAGO SOUTH PARK BOND.

KNOW ALL MEN BY THESE PRESENTS:

That the South Park Commissioners, a public municipal corporation of the State of Illinois, acknowledges itself to owe and promises to pay unto the bearer here-

of the sum of One Thousand Dollars, in lawful money of the United States of America, on the first day of February, in the year one thousand nine hundred and eleven, at the Chicago National Bank in the City of Chicago, with interest at the rate of five per cent. per annum, payable semi-annually on the first days of August and February in each year on the presentation and surrender of the annexed coupons as they severally mature. This bond is one of a series of bonds of like amount, tenor and effect, and numbered consecutively from and including number one up to and including number five hundred, issued by the South Park Commissioners by authority of and in pursuance of the provisions of an Act of the General Assembly of the State of Illinois, entitled "An Act in relation to the World's Columbian Exposition," approved August 5, 1890, the provisions of which said Act, so far as they relate to the power and authority to issue the said bonds and the manner and conditions in and upon which said power and authority shall be exercised, have in all things been complied with. A direct annual tax will be levied and collected in each year upon the property within the jurisdiction of the South Park Commissioners to pay the annual interest maturing on said bonds and a certain proportion of the principal, so that the entire issue of said bonds shall be paid off and discharged within twenty years from the date thereof. All of said bonds, including this bond, is issued subject to the condition that, if sufficient of said bonds can not be purchased by the said South Park Commissioners in each year at par and accrued interest to absorb the proportion of such annual tax which shall be set apart for the redemption of said bonds,

then, and in that event, a sufficient number of said bonds to absorb said fund at that price shall be selected by lot from the bonds of this issue then outstanding and shall be redeemed, notice of such selection and the numbers of the bonds so selected to be given in the manner prescribed by ordinance.

The interest on the bonds selected by lot, as aforesaid, shall cease from and after the time when the semi-annual interest on the same shall fall due next after such selection is made, if not presented for redemption before that time. The credit of the South Park Commissioners is irrevocably pledged to the payment of all of said bonds and the interest thereon. This bond shall pass by delivery, or may be registered at the office of the secretary of the South Park Commissioners in the City of Chicago, Illinois; and after such registration of ownership, certified hereon by said secretary, no transfer shall be valid except on the transfer books kept for that purpose by said secretary, unless the last transfer shall be to bearer, which shall restore transferability by delivery; but this bond shall be subject to successive registrations and transfers to bearer at the option of each holder.

In Witness Whereof the said South Park Commissioners have hereunto subscribed their names and affixed the corporate seal and caused this bond to be countersigned by the secretary on this first day of .....in the year of our Lord one thousand eight hundred and ninety-one.

South Park Commissioners.

COUNTERSIGNED:

□ Secretary.

INTEREST COUPON.

($25.00.)

South Park Commissioners will pay the bearer at the Chicago National Bank in the City of Chicago on the first day of ....., A. D. 18...., twenty-five Dollars, being six months' interest on Bond No. .....

Secretary.

CHICAGO AND CALUMET HORSE AND DUMMY RAILWAY COMPANY.

AGREEMENT, BETWEEN THE CHICAGO & CALUMET HORSE AND DUMMY RAILWAY COMPANY AND THE SOUTH PARK COMMISSIONERS TO CROSS OAKWOOD BOULEVARD. [PASSED JULY 8, 1885.]

At a regular meeting of the Board of South Park Commissioners, held at their office in the City of Chicago, on the eighth day of July, 1885, a quorum being present, an application being made to the Board of South Park Commissioners, by the Chicago & Calumet Horse and Dummy Railway Company, for permission to cross Oakwood boulevard at its intersection with Cottage Grove avenue.

Now, therefore, subject to the conditions hereinafter expressed, permission is hereby granted by the said Commissioners to the said Chicago and Calumet Horse and Dummy Railway Company, to lay down and operate its said track upon these conditions, that is to say:

First. After putting the track down, the road is to be replaced in perfect order and condition as it now is, at the expense of the said railway company, and to be so kept at all times by it.

Second. No cars, horses or other obstructions are ever to stop or stand upon the boulevard. All stoppages, to take on or let off passengers or for other purposes, are to be before reaching or after crossing the boulevard.

Third. The said railway company is to enter into an agreement with the South Park Commissioners to comply with all the conditions hereinbefore and hereinafter contained, and also that if at any time the said conditions and restrictions are not complied with or the track and the cars thereon become, in the opinion of the commissioners, too great an obstruction to driving upon the boulevard, or if the commissioners for any other reason desire the track to be removed, then the said railway company is to remove the said track, and replace the road and boulevard in perfect order and condition, as it now is, all at the expense of the said railway company.

Fourth. That in the exercise of the permission herein granted, said company shall not make use of steam power, nor anything but horse power, in propelling, conducting or operating its cars across said boulevard, nor permit any dummy or other engine to cross, or recross, the same at any time.

Fifth. The permission hereby granted is to be temporary and subject to such further or other restrictions as said commissioners, or their successors, may from time to time deem advisable, and also subject to be wholly revoked in the discretion of the said commissioners.

CHICAGO AND NORTHERN PACIFIC RAILROAD.

ORDINANCE GRANTING THE RIGHT TO THE CHICAGO AND NORTHERN PACIFIC RAILROAD COMPANY TO CROSS WESTERN AVENUE BOULEVARD AND GARFIELD BOULEVARD. [PASSED NOVEMBER 2, 1891.]

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. That permission and authority be and the same are hereby granted to the Chicago and Northern Pacific Railroad Company to lay down, operate and maintain a double track railway across the Western avenue boulevard and the Garfield boulevard, in the City of Chicago, Cook County, Illinois, in the manner and subject to the provisions and restrictions hereinafter contained.

Sec. 2. The tracks across said Western avenue boulevard shall be laid east of and parallel with, and at the present grade of the tracks of the Union Stock Yards and Transit Company; and the distance between the centers of the tracks of said Chicago and Northern Pacific Railroad Company and between the center of the west track of said Chicago and Northern Pacific Railroad Company and the center of the east track of said Union Stock Yards and Transit Company, shall not be more than fourteen feet.

Sec. 3. The tracks across said Garfield boulevard shall be laid west of and at the present grade of the tracks of the Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company, and the west rail of the west track of said Chicago and Northern Pacific Railroad Company shall cross the north line of said boulevard at a distance of not more than fifty-six and one-half feet from the west line of the right-of-way of said Pittsburgh, Cincinnati, Chicago and St. Louis Railway Com-

pany, and said west rail of said west track shall cross the south line of said boulevard at a distance of not more than eighty feet from said west line of the right-of-way of said Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company.

Sec. 4. Said railroad company shall construct its tracks across said boulevards with an iron guard rail on the inside of each of the rails thereof, and shall plank said crossings and keep the same in repair to the full width of said boulevards, all under the direction of the superintendent of said South Park Commissioners; and said railroad company shall not change the grade of its tracks across said boulevards without the consent of said South Park Commissioners; and said railroad company shall, at its own cost and expense, furnish and deliver suitable material for constructing, repairing and maintaining the approaches to said tracks, including both the driveways and planting spaces of said boulevards, at such places and at such times as shall be directed by said South Park Commissioners, and all alterations made necessary in said boulevards to make the driveways and planting spaces thereof conform to the grade of said railroad tracks, as herein specified, shall be made at the sole cost and expense of said railroad company and under the supervision and direction of the superintendent of said South Park Commissioners; and the said railroad company shall also pay any and all expense incurred in the removal of trees, made necessary by the construction of said crossing, and the full value of such trees as shall be destroyed thereby.

Sec. 5. The said railroad company shall, whenever so directed by the South Park Commissioners, keep

and maintain a flagman at such crossings of said boulevards, or shall construct and maintain gates thereat, as shall be required by the South Park Commissioners; and shall also use and maintain such other means in use by railway companies as shall from time to time be directed by said South Park Commissioners to insure the safety of persons using said boulevards.

Sec. 6. The said railroad company shall at no time and under no circumstances permit any of its cars or locomotives to stand upon said tracks, or any of them, to the obstruction of travel upon said boulevards or any part thereof.

Sec. 7. The permission, authority and privileges hereby granted are upon the further express condition that the said railroad company, whenever so directed by the South Park Commissioners, in compliance with any general order in regard to the construction of viaducts and the lowering of the tracks crossing the boulevards under the control of said South Park Commissioners in any particular district, shall construct and maintain a viaduct over said boulevards and railway crossings, and shall lower the said tracks in the manner required by said South Park Commissioners.

Sec. 8. The privileges hereby granted are upon the further express condition that the said railroad company shall at all times comply with and be subject to all general and special ordinances of said South Park Commissioners, now in force or which may hereafter be passed concerning the use and occupation of streets and boulevards and the running and operating of cars thereon or across the same by railway companies, or in regard to the elevation of railroad tracks crossing said

streets and boulevards, so far as the same apply or relate to the privileges hereby granted.

Sec. 9. The permission and authority hereby granted are upon the further express condition that the said railroad company shall forever indemnify and save harmless the said South Park Commissioners from any and all legal actions, damages, decrees, and the costs and expenses of the same which may be recovered or obtained against the South Park Commissioners for or by reason of or growing out of, or resulting from the passage of this ordinance, or any matter or thing connected therewith, or by the exercise by the company of the privileges hereby granted, or from any act or acts of said company under or by virtue of this ordinance.

Sec. 10. Should the said company at any time fail to comply with the conditions and provisions of this ordinance, or any of them, or with the general ordinances of the South Park Commissioners, the said South Park Commissioners may order the said tracks to be taken up and removed by said company, and on its failure so to do within ten days after notice of such order, may cause the same to be taken up and removed at the expense of the said company.

Sec. 11. All the provisions of this ordinance shall be equally binding upon the said railroad company, its successors, assigns and lessees.

Sec. 12. This ordinance shall be in force only from and after the written acceptance of the same and its provisions by the said Chicago & Northern Pacific Railroad Company, duly signed and under its corporate seal, shall be filed with the secretary of the South Park Commissioners. Unless such acceptance shall be so

filed within thirty days of the time of the passage hereof, this ordinance shall be null and void.

CHICAGO AND SOUTH SIDE RAPID TRANSIT RAILROAD COMPANY.

AN ORDINANCE GRANTING PERMISSION TO THE CHICAGO AND SOUTH SIDE RAPID TRANSIT RAILROAD COMPANY TO CONSTRUCT, ERECT, MAINTAIN AND OPERATE AN ELEVATED RAILROAD OVER AND ACROSS MICHIGAN AVENUE BOULEVARD, IMMEDIATELY SOUTH OF AND ADJOINING FORTIETH STREET, AND OVER AND ACROSS GARFIELD BOULEVARD, BETWEEN CALUMET AND PRAIRIE AVENUES. [PASSED SEPTEMBER 9, 1891.]

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. That permission and authority be and the same is hereby granted to the Chicago and South Side Rapid Transit Railroad Company to construct, erect, maintain and operate an elevated railroad over and across Michigan avenue boulevard, immediately south of and adjoining Fortieth street, and also over and across Garfield boulevard, between Calumet and Prairie avenues, the center line of the structure of said elevated railroad to be about 212 feet east of Prairie avenue and about 165 feet west of Calumet avenue, both said boulevards being in the City of Chicago, County of Cook, State of Illinois, in the manner and subject to the restrictions hereinafter contained.

Sec. 2. The structure to be erected over and across Michigan avenue boulevard shall span the driveway of said boulevard from curb to curb, and shall be supported by iron columns set in the line of the trees not to exceed four feet from the curb lines, said columns to be supported upon cast-iron bases firmly bolted to proper foundations of concrete and masonry constructed be-

neath the surface. The structure crossing Garfield boulevard shall be in all respects similar to that crossing Michigan avenue boulevard, except that it shall consist of four spans, the northerly one of which shall at its northerly end be supported upon iron columns set without the northerly line of said boulevard, and at its southern end upon columns located within and immediately adjoining the northern side of the planting space in the center of said boulevard; the two center spans shall, as to the northerly one thereof, be supported at its northern end upon the columns carrying the southern end of the span crossing the northern driveway of said boulevard, and at its southern end upon columns located in the center of said planting space, which said last named columns shall also support the northern end of the southerly of the two central spans, the southern end of which shall be supported upon columns located at the southerly edge of the planting space aforesaid, which said last named columns shall also support the northern end of the southern span which shall span the southerly driveway of said boulevard, and be supported at its southern end by columns located without the southerly side of said boulevard, all of said columns to be supported upon cast-iron bases firmly bolted to proper foundations constructed of concrete and masonry beneath the surface.

Sec. 3. The said railroad company shall be permitted to make all necessary excavations for the convenient construction of the foundations aforesaid, but shall restore the surfaces of all driveways and planting places so disturbed to the satisfaction of the South Park Commissioners; or said South Park Commissioners may, at their option, require the said railroad com-

pany, before any such excavations are made, to deposit with the secretary of said Commissioners a sum in cash to cover the estimated cost of making such excavations and restorations, and make such excavations and restorations by their own agents and servants, and after paying the costs thereof out of the cash so deposited, account for and pay over to said railroad company any balance remaining from said deposit, and if said cost shall exceed said deposit said railroad company shall at once reimburse said Commissioners for such excess.

Sec. 4. The permission and authority hereby granted are upon the express condition that the said railroad company shall promptly pay for any and all damage done by it to property in the custody of said South Park Commissioners, and for the cost of removing any trees which it may be necessary to disturb, and shall forever indemnify and save harmless the said South Park Commissioners from any and all legal actions, damages, decrees, and the costs and expenses of the same which may be recovered or obtained against the South Park Commissioners for or by reason of, or growing out of or resulting from the passage of this ordinance, or any matter or thing connected therewith, or by the exercise by the railroad company of the privileges hereby granted, or from any act or acts of said company under or by virtue of this ordinance.

Sec. 5. All structures spanning the driveways of the boulevards aforesaid, shall leave a clear headroom between said structures and the grade of such driveways at the center line of such driveways of sixteen feet, and at the curb lines such headroom shall not be less than fourteen feet above such driveways, and the entire

structures shall be so designed as to present as light and ornamental an appearance as is consistent with strength and durability for the service for which they are intended, and shall be so constructed as to effectually prevent drippings of any kind from such structures upon any part of said boulevards. All plans and details thereof shall be submitted to and approved by the South Park Commissioners before erection.

Sec. 6. This ordinance shall be in force only from and after the written acceptance of the same, and its provisions, by the said The Chicago & South Side Rapid Transit Railroad Company, duly signed under its corporate seal, shall be filed with the secretary of the South Park Commissioners. Unless such acceptance be so filed within 30 days from the date of the passage hereof, this ordinance shall be null and void.

Sec. 7. The said company shall station a flagman at the crossings of said driveways or put in some suitable device to announce the approach of trains, if required by the South Park Commissioners.

CHICAGO AND WESTERN INDIANA RAILROAD COMPANY.

AGREEMENT ALLOWING CHICAGO & WESTERN INDIANA RAILROAD COMPANY TO CROSS GARFIELD BOULEVARD. [PASSED OCTOBER 27, 1879.]

Resolved, That the Chicago & Western Indiana Railroad Company have authority to cross Fifty-fifth street boulevard, as requested, provided that it shall duly execute the contract without delay, contained in its request this day submitted to the board, which has been approved by the attorney of this board, and has

been handed to the agents of said company to procure its execution.

The request and conditions are as follows:

TO THE BOARD OF SOUTH PARK COMMISSIONERS:

The Chicago & Western Indiana Railroad Company, a corporation duly organized under and by virtue of the laws of the State of Illinois, hereby ask permission to lay three railroad tracks across the Fifty-fifth street boulevard, on a width not exceeding for all thirty-four feet, on a line with Wallace street, where the same, if extended, would cross said boulevard; said space not to be used for switching cars or side tracks; and in consideration of the granting of said permission, and as a condition of the said grant and of the exercise thereof, the said Chicago & Western Indiana Railroad Company do hereby agree to so lay and construct said tracks that the top of the rails of said railroad tracks shall not, when so laid, be to exceed eighteen inches above the present grade of the center of said boulevard, where now improved, and to raise or lower the same, from time to time, as said Board of Park Commissioners may direct, and also to grade the driveway of said boulevard from the top of said rails on a straight line to the present or future grade of said driveway, at a point one hundred feet east and west, respectively, on said driveway, and keep the same in repair to the satisfaction of said board; said grading to be the full width of said driveway, as now improved, and to be continued as the said improvement may be widened for the whole width to which the said commission shall, from time to time, extend the said improvement; said grading to be made of broken stone and

stone screens, or with gravel as said Board of Commissioners may direct; and also to plank the space between said railroad tracks, for the whole width of said boulevard, and to extend the planking to such distance outside of said rails as shall be directed by said board; and also to make like crossings on such other driveways as shall be hereafter constructed by said commissioners on said boulevard, where the same shall or may cross the line of said railroad tracks, and to maintain the same at the cost and expense of said company and its successors and assigns, and to do all and every the matters and things aforesaid, under the supervision and to the satisfaction of said Board of Commissioners, or such person as they may appoint. And further, that said railroad company shall, at its own cost and expense, maintain a flagman at such crossing and crossings, as aforesaid, whenever said Board of South Park Commissioners shall, by resolution, direct the same to be done, and shall also establish, construct and maintain, at its own expense, suitable safety gates at such crossings, whenever directed to do so by resolution of said board; and further, that the said railroad company shall, and will, comply with any and all general ordinances that may be adopted by said board, establishing a general system of viaducts for railroads crossing said boulevard between the west line of the Village of Hyde Park and Halsted street, in the Town of Lake; and further, that said railroad company shall lower its tracks, if necessary, to enable said board to construct such suitable and substantial driveways or viaducts as the said board may hereafter order over said railroad crossings, hereby permitted, of which said viaducts said company shall pay the cost, expense,

and also all reasonable expenses afterwards, keeping such viaducts in repair. And said company shall also conform to any and all general ordinances of said Board of South Park Commissioners, regulating the speed of railroad trains or engines at the crossings of said boulevard, and shall be subject at all times to all of the police powers vested, or which may hereafter be vested, in the said board, and to the proper exercise thereof by or through the agency of said board. And it is hereby further agreed and declared, by the said railroad company, that the due performance on its part of all and singular, the agreements and stipulations, aforesaid, shall be, and the same are hereby made conditions of the said grant, and of the exercise of the privileges hereinbefore requested to be granted to said company. And it is hereby further agreed that this instrument shall be spread upon the regular records of the proceedings of the Board of Directors of said company, and to be approved by said board, and proper evidence of said approval furnished to the said Board of South Park Commissioners. And in case of failure, neglect or refusal of said railroad company, so to approve and to record this agreement, the said company agrees to remove said tracks from said boulevard crossing, upon ten days notice, and the continuance during that time of such default as aforesaid. And in case of failure or neglect of said railroad company, after the continuance of such default for the period of ten days after notice as aforesaid, and in case of its breach of any of the conditions or agreements hereinbefore contained, the said Board of South Park Commissioners may take up and remove the said tracks from said boulevard at the said crossings, provided

said Board of South Park Commissioners shall first give written notice of such breach of condition at least ten days before proceeding to take up said tracks.

ORDINANCE GRANTING THE RIGHT TO THE CHICAGO AND WESTERN INDIANA RAILROAD COMPANY TO LAY DOWN TWO ADDITIONAL TRACKS ACROSS GARFIELD BOULEVARD. [PASSED NOVEMBER 11TH, 1892.]

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. That permission and authority be and the same are hereby granted to the Chicago and Western Indiana Railroad Company to lay down, operate and maintain two additional railway tracks across Garfield boulevard in the manner and subject to the provisions and restrictions hereinafter contained.

Sec. 2. That said track shall be laid east of and parallel with and at the present grade of the tracks of said company now across said boulevard and as near thereto as practicable.

Sec. 3. Said railroad company shall construct its tracks across said boulevard with an iron guard rail on the inside of each of the rails thereof, and shall plank said crossing and keep the same in repair to the full width of said boulevard, all under the direction of the Superintendent of said South Park Commissioners; and said railroad company shall not change the grade of its tracks across said boulevard without the consent of said South Park Commissioners; and said railroad company shall at its own cost and expense, furnish and deliver suitable material for constructing, repairing and maintaining the approaches to said tracks, including both the driveways and plant-

ing spaces of said boulevard, at such places and at such times as shall be directed by said South Park Commissioners, and all alterations made necessary in said boulevards to make the driveways and planting spaces thereof conform to the grade of said railroad tracks, as herein specified, shall be made at the sole cost and expense of said railway company and under the supervision and direction of the Superintendent of said South Park Commissioners; and the said railroad company shall also pay any and all expense incurred in the removal of trees, made necessary by the construction of said crossing, and the full value of such trees as shall be destroyed thereby.

Sec. 4. The said railroad company shall, whenever so directed by the South Park Commissioners, keep and maintain a flagman at such crossing of said boulevard, or shall construct and maintain gates thereat, as shall be required by the South Park Commissioners; and shall also use and maintain such other means in use by railway companies as shall from time to time be directed by said South Park Commissioners to insure the safety of persons using said boulevard.

Sec. 5. The said railroad company shall at no time and under no circumstances permit any of its cars or locomotives to stand upon said tracks, or any of them, to the obstruction of travel upon said boulevard or any part thereof.

Sec. 6. The permission, authority and privileges hereby granted are upon the further express condition that the said railroad company, whenever so directed by the South Park Commissioners, in compliance with any general order in regard to the construction of viaducts, and the lowering of the tracks crossing the

boulevard under the control of said South Park Commissioners in any particular district, shall construct and maintain a viaduct over said boulevard and railway crossing, and shall lower the said tracks in the manner required by said South Park Commissioners.

Sec. 7. The privileges hereby granted are upon the further express condition that the said railroad company shall at all times comply with and be subject to all general and special ordinances of said South Park Commissioners, now in force or which may hereafter be passed concerning the use and occupation of streets and boulevards and the running and operating of cars thereon or across the same by railway companies, or in regard to the elevation of railroad tracks, crossing said streets and boulevards, so far as the same apply or relate to the privileges hereby granted.

Sec. 8. The permission and authority hereby granted are upon the further express condition that the said railroad company shall forever indemnify and save harmless the said South Park Commissioners from any and all legal actions, damages, decrees, and the costs and expenses of the same which may be recovered or obtained against the South Park Commissioners for or by reason of or growing out of, or resulting from the passage of this ordinance, or any matter or thing connected therewith or by the exercise by the company of the privileges hereby granted, or from any act or acts of said company under or by virtue of this ordinance.

Sec. 9. Should the said company at any time fail to comply with the conditions and provisions of this ordinance or any of them, or with the general ordinances of the South Park Commissioners, the said South Park Commissioners may order the said tracks to be taken

up and removed by said company, and on its failure so to do within ten days after notice of such order, may cause the same to be taken up and removed at the expense of the said company.

Sec. 10. All the provisions of this ordinance shall be equally binding upon the said railroad company, its successors, assigns and lessees.

Sec. 11. This ordinance shall be in force only from and after the written acceptance of the same and its provisions by the said Chicago and Western Indiana Railroad Company duly signed and under its corporate seal, shall be filed with the Secretary of the South Park Commissioners. Unless such acceptance shall be so filed within thirty days of the time of the passage hereof, this ordinance shall be null and void.

CHICAGO CITY RAILWAY COMPANY.

AGREEMENT WITH CHICAGO CITY RAILWAY COMPANY REGARDING TRACKS ACROSS GRAND BOULEVARD AT THIRTY-NINTH STREET. [PASSED JUNE 8TH, 1876.]

Resolved, That the President and Secretary execute the following instrument under the seal of the corporation and that upon compliance with its terms by the Chicago City Railway Company the same be delivered to said company for the uses and purposes therein expressed:

At a regular meeting of the Board of South Park Commissioners held at their office on the eighth day of June, 1876, a quorum being present, an application being made to the Board of South Park Commissioners by the Chicago City Railway Company for permission to cross the Grand boulevard at Thirty-ninth street, and across the said street at that point to operate a

street railway track: Now therefore, subject to the conditions hereinafter expressed, permission is hereby granted by the said Commissioners to the said Chicago City Railway Company to lay down and operate its said track upon these conditions—that is to say:

First. After putting the track down the road is to be replaced in perfect order and condition as it now is, at the expense of the said railway company, and to be so kept at all times by it.

Second. No cars, horses, or other obstructions are ever to stop or stand upon the boulevard; all stoppages to take on or let off pasengers, or for other purposes, are to be before reaching or after crossing the boulevard.

Third. The said railway company is to enter into an agreement with the South Park Commissioners to comply with all the conditions hereinbefore and hereinafter contained; and also, that if at any time the said conditions and restrictions are not complied with or the track and cars thereon become in the opinion of said commissioners too great an obstruction to driving on the boulevard, or if the commissioners, for any other reason, desire the track to be removed, then the said company is to remove the said track and replace the road and boulevard in perfect order and condition as it now is, all at the expense of the said railway company.

Fourth. That in the exercise of the permission hereby granted said company shall not make use of steam power or anything but horse power in propelling, conducting or operating its cars across said boulevard; nor permit any dummy or other engine to cross or recross the same at any time.

Fifth. The permission hereby granted is to be tem-

porary and subject to such further or other restrictions as said commissioners or their successors may from time to time deem advisable, and also subject to be wholly revoked in the discretion of the said Board.

AGREEMENT WITH CHICAGO CITY RAILWAY CONCERNING CROSSING AT GARFIELD BOULEVARD AND STATE STREET. [PASSED AUGUST 9, 1882.]

Resolved, That permission be and the same is hereby given the Chicago City Railway Company to construct, maintain and operate its railway tracks across Garfield boulevard at its intersection with State street, in the manner and subject to the conditions following:

First. Said company shall construct double tracks at said crossing, and between the rails and between the tracks shall lay planks or paving material in such manner, and maintain the same at all times, as this board shall direct. The rails or tracks so laid shall not protrude above the level of the road-bed, and the rails and tracks and spaces between them shall be kept constantly in repair, and in such condition as in no wise to cause danger or interruption to travel.

Second. No cars or horses or propelling engines connected therewith shall be permitted to stop on said boulevard, and all stoppages to take on or let off passengers shall be made before reaching or after crossing the boulevard.

Third. Should said company at any time refuse or neglect to comply with the provisions aforesaid, or with any reasonable rule or regulation, established by this board for the government of said boulevard, this license shall cease and terminate, and without notice

or process of law said board may cause such tracks and rails to be moved.

Fourth. No steam or other locomotive engine shall be used by said company for propelling cars across said boulevard.

Fifth. This license shall be accepted subject to all the police and governmental powers of said board, and to its privilege at any time to cause the removal of said tracks, and the revocation of this license from whatsoever cause it may deem proper.

Sixth. This resolution shall take effect and be in force upon a written acceptance of the same being filed with the secretary of this board, signed by the president of said company, with its corporate seal attached, attested by its secretary; which said acceptance shall be deemed an agreement on the part of said company to comply with all the terms and conditions herein expressed.

The secretary of this board is hereby directed to transmit to said company a copy of this resolution, duly certified under his hand and the seal of this board.

AGREEMENT BETWEEN THE CHICAGO CITY RAILWAY COMPANY AND THE SOUTH PARK COMMISSIONERS TO CROSS MICHIGAN AVENUE AT THIRTY-FIRST STREET. [PASSED JULY 16, 1884.]

At a regular meeting of the Board of South Park Commissioners, held at their office in the City of Chicago, on the 16th day of July, 1884, a quorum being present. An application being made to the Board of South Park Commissioners by the Chicago City Railway Company for permission to cross Michigan Ave-

nue boulevard at its intersection with Thirty-first (31st) street south.

Now, therefore, subject to the conditions hereinafter expressed, permission is hereby granted by the said Commissioners to the said Chicago City Railway Company to lay down and operate its said track upon these conditions—that is to say:

First. After putting the track down, the road is to be replaced in perfect order and condition as it now is, at the expense of the said railway company, and to be so kept at all times by it.

Second. No cars, horses or other obstructions are ever to stop or stand upon the boulevard. All stoppages to take on or let off passengers, or for other purposes, are to be before reaching or after crossing the boulevard.

Third. The said railway company is to enter into an agreement with the South Park Commissioners to comply with all the conditions hereinbefore and hereinafter contained and also that if at any time the said conditions and restrictions are not complied with, or the track and cars thereon become, in the opinion of the commissioners, too great an obstruction to driving upon the boulevard, or if the commissioners for any other reason desire the track to be removed, then the said railway company is to remove the said track and replace the road and boulevard in perfect order and condition as it now is, all at the expense of the said railway company.

Fourth. That in the exercise of the permission hereby granted, said company shall not make use of steam power nor anything but horse power in propelling, conducting or operating its cars across said boulevard,

nor permit any dummy or other engine to cross or recross the same at any time.

Fifth. The permission hereby granted is to be temporary, and subject to such further or other restrictions as said commissioners or their successors may from time to time deem advisable, and also subject to be wholly revoked in the discretion of the said commissioners.

AGREEMENT BETWEEN THE CHICAGO CITY RAILWAY COMPANY AND THE SOUTH PARK COMMISSIONERS, FOR CROSSING GARFIELD BOULEVARD AT WENTWORTH AVENUE AND HALSTED STREET. [PASSED NOVEMBER 12, 1884.]

At a regular meeting of the Board of South Park Commissioners, held at their office in the City of Chicago, on the 12th day of November, 1884, a quorum being present, an application being made to the Board of South Park Commissioners by the Chicago City Railway Company for permission to cross Garfield boulevard at its intersection with Wentworth avenue, and also to cross said Garfield boulevard at its intersection with Halsted street.

Now, therefore, subject to the conditions hereinafter expressed, permission is hereby granted by the said commissioners to the said Chicago City Railway Company, to lay down and operate its said tracks upon these conditions—that is to say:

First. After putting the track down the road is to be replaced in perfect order and condition as it now is, at the expense of the said railway company, and to be so kept at all times by it.

Second. No cars, horses or other obstructions are ever to stop or stand upon the boulevard, all stoppages

to take on or let off passengers or for other purposes are to be before reaching or after crossing the boulevard.

Third. The said railway company is to enter into an agreement with the South Park Commissioners to comply with all the conditions hereinbefore and hereinafter contained, and also that if, at any time, said conditions and restrictions are not complied with, or the track and cars thereon become in the opinion of the commissioners too great an obstruction to driving upon the boulevard, or if the commissioners for any other reason desire the track to be removed, then said railway company is to remove the said track and replace the road and boulevard in perfect order and condition as it now is, all at the expense of the said railway company.

Fourth. That in the exercise of the permission hereby granted, said company shall not make use of steam power nor anything but horse power in propelling, conducting or operating its cars across said boulevard, nor permit any dummy or other engine to cross or recross the same, at any time.

Fifth. The permission hereby granted is to be temporary, and subject to such further or other restrictions as said commissioners or their successors may from time to time deem advisable, and also subject to be wholly revoked in the discretion of the said commissioners.

AGREEMENT BETWEEN THE CHICAGO CITY RAILWAY COMPANY AND THE SOUTH PARK COMMISSIONERS, TO CROSS OAKWOOD BOULEVARD, DREXEL ENTRANCE, AND MIDWAY PLAISANCE AT THE INTERSECTION OF THE SAME WITH COTTAGE GROVE AVENUE. [PASSED MAY 11, 1887.]

At a regular meeting of the Board of South Park Commissioners, held at their office in the City of Chicago, on the eleventh day of May, 1887, a quorum being present, an application being made to the South Park Commissioners by the Chicago City Railway, for permission to cross with its cable railway tracks Oakwood boulevard, Drexel entrance to Washington Park and Midway Plaisance, at the intersection of the same with Cottage Grove avenue.

Now, therefore, subject to the conditions hereinafter expressed, permission is hereby granted by the said commissioners to the said Chicago City Railway Company, to lay down and operate its said track upon the conditions—that is to say:

First. After putting the track down the road is to be replaced in perfect order and condition, as it now is, at the expense of the said railway company, and to be so kept at all times by it.

Second. No cars, horses, or other obstructions, are ever to stop or stand upon the boulevards. All stoppages to take on or let off passengers, or for other purposes, are to be before reaching or after crossing the boulevard.

Third. The said railway company is to enter into an agreement with the South Park Commissioners to comply with all the conditions hereinbefore and hereinafter contained, and also that if at any time the said conditions and restrictions are not complied with, or the track and cars thereon become in the opinion of

the commissioners too great an obstruction to driving upon the boulevards, or if the commissioners for any other reason desire the track to be removed, then the said railway company is to remove the said track, and replace the roads and boulevards in perfect order and condition, as it now is, all at the expense of the said railway company.

Fourth. That in the exercise of the permission hereby granted said company shall not make use of steam power, nor anything but horse or cable power, in propelling, conducting or operating its cars across said boulevards, nor permit any dummy or other engine to cross or recross the same at any time.

Fifth. The permission hereby granted is to be temporary, and subject to such further or other restrictions as said commissioners or their successors may from time to time deem advisable, and also subject to be wholly revoked in the discretion of the said commissioners.

Sixth. That the grade of the top of the rails, at all points in the crossings named, shall be determined by the Park Commissioners, and that the location of man holes, etc., within the park limits, shall also be fixed by the commissioners.

Seventh. That the rate of speed at which cars shall cross such park territory shall not exceed, under any circumstances, five miles per hour.

Eighth. That the railway company will, at their expense, keep a good flagman at crossings where the Park Commissioners think it necessary, and that one be placed at Oakwood and Fifty-first street as soon as the operation of the cable commences.

Ninth. That the permission should be given with

the express condition that the company will, at their own expense, make such alterations in their tracks, etc., particularly at the Midway Plaisance, as may be deemed desirable by the Park Commissioners, as further improvements are made, and that the company agree to pay any additional cost which may arise in the construction of bridges that may hereafter be determined upon by the Park Commissioners, on account of making such bridges suitable for the conveying of the cable and cars.

Tenth. That the construction of the road across the places named shall be carried on at the times and in the manner directed by the Park Commissioners. The object being to occupy the crossings for as short a time as possible.

ORDINANCE GRANTING THE CHICAGO CITY RAILWAY COMPANY PERMISSION TO LAY DOWN, MAINTAIN AND OPERATE A DOUBLE TRACK STREET RAILWAY ACROSS MICHIGAN AVENUE, GRAND BOULEVARD AND DREXEL BOULEVARD AT FORTY-THIRD STREET, ACROSS MICHIGAN AVENUE AT TWENTY-SIXTH STREET AND ACROSS WESTERN AVENUE BOULEVARD AT ARCHER AVENUE. [PASSED NOVEMBER 9, 1887.]

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. That in consideration of the undertaking by the Chicago City Railway Company to comply with the conditions of this ordinance, permission is hereby granted to said Chicago City Railway Company to lay down, maintain and operate a double track street railway across Michigan avenue, Grand boulevard and Drexel boulevard at Forty-third street, across Michigan avenue at Twenty-sixth street, and across Western Avenue boulevard at Archer avenue.

Sec. 2. The said tracks shall be laid under the super-

vision and direction of the superintendent of the South Park Commissioners, and after tracks are laid, the roadways shall be replaced in perfect order and condition as they now are, at the expense of the said railway company, and to be so kept at all times by it in such manner as shall be directed by said superintendent.

Sec. 3. No cars, horses, or other obstructions shall ever stop or stand upon the said boulevards, or avenues, or crossings; and all stoppages to take on or let off passengers, or for other purposes, shall be before reaching or after crossing the boulevards.

Sec. 4. If at any time said conditions and restrictions are not complied with, or the track and cars thereon become, in the opinion of the South Park Commissioners, too great an obstruction to driving upon the said boulevards or avenues, or if the Commissioners for any other reason desire the said tracks to be removed, then said railway company is to remove the said tracks and replace the roadways and boulevards in perfect order and condition, as they now are, all at the expense of the said railway company.

Sec. 5. That in the exercise of the permission hereby granted, said company shall not make use of steam power, nor anything but horse power in propelling, conducting or operating its cars across said boulevards and avenues, nor permit any dummy or other engine to cross or recross the same at any time.

Sec. 6. That permission hereby granted is to be temporary, and subject to such further or other restrictions as said South Park Commissioners or their successors may from time to time deem advisable, and also subject to be wholly revoked in the discretion of the said Commissioners.

Sec. 7. This ordinance shall be in force from and after its written acceptance by said Chicago City Railway Company. Unless such acceptance be filed with the secretary of said South Park Commissioners within thirty days after the passage hereof, this ordinance shall be null and void.

ORDINANCE GRANTING THE CHICAGO CITY RAILWAY COMPANY PERMISSION TO LAY DOWN, MAINTAIN AND OPERATE A DOUBLE TRACK STREET RAILWAY ACROSS GARFIELD BOULEVARD AT ASHLAND AVENUE. [PASSED AUGUST 14, 1889.]

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. That in consideration of the undertaking by the Chicago City Railway Company to comply with the conditions of this ordinance, permission is hereby granted to said Chicago City Railway Company to lay down, maintain and operate a double track street railway across Garfield boulevard at Ashland avenue.

Sec. 2. That said tracks shall be laid under the supervision and direction of the Superintendent of the South Park Commissioners, and after tracks are laid the roadway shall be replaced in perfect order and condition, as it now is, at the expense of the said railway company, and to be so kept by it at all times in such manner as shall be directed by said superintendent; and said Chicago City Railway Company shall pave the entire intersection with granite or brick paving blocks at any time when the South Park Commissioners shall consider it necessary so to do, and shall make an order for such improvement.

Sec. 3. No cars, horses, or other obstructions shall ever stop or stand upon the said boulevard or crossing;

and all stoppages to take on or let off passengers, or for other purposes, shall be before reaching or after crossing the boulevard.

Sec. 4. If at any time said conditions and restrictions are not complied with, or the track and cars thereon become, in the opinion of the South Park Commissioners, too great an obstruction to driving upon said boulevard or avenue, or if the Commissioners for any other reason desire the said tracks to be removed, then said railway company is to remove the said tracks and replace the roadway and boulevard in perfect order and condition as they now are, all at the expense of the said railway company.

Sec. 5. That in the exercise of the permission hereby granted said company shall not make use of steam power, nor anything but horse power in propelling, conducting or operating its cars across said boulevard, nor permit any dummy, or other engine, to cross or recross the same at any time.

Sec. 6. That permission hereby granted is to be temporary and subject to such further or other restrictions as said South Park Commissioners or their successors may, from time to time, deem advisable, and also subject to be wholly revoked in the discretion of the said Commissioners.

Sec. 7. This ordinance shall be in force from and after its written acceptance by said Chicago City Railway Company. Unless such acceptance be filed with the secretary of the said South Park Commissioners within thirty days after the passage hereof, this ordinance shall be null and void.

ORDINANCE GRANTING THE CHICAGO CITY RAILWAY COMPANY PERMISSION TO LAY DOWN, MAINTAIN AND OPERATE A DOUBLE TRACK STREET RAILWAY ACROSS GRAND BOULEVARD AND MICHIGAN AVENUE AT FORTY-SEVENTH STREET. [PASSED MAY 11TH, 1892.]

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. That in consideration of the undertaking by the Chicago City Railway Company to comply with the conditions of this ordinance, permission is hereby granted to said Chicago City Railway Company to lay down, maintain and operate a double track street railway across Grand boulevard and Michigan avenue at Forty-seventh street.

Sec. 2. That said tracks shall be laid under the supervision and direction of the Superintendent of the South Park Commissioners, and after tracks are laid, the roadway shall be replaced in perfect order and condition, at the expense of the said railway company, and to be so kept by it at all times in such manner as shall be directed by said Superintendent; and when said tracks are laid the said railway company shall pave the space between their rails and for a space of twelve feet in width on each side of the outer rails in said Grand boulevard and Michigan avenue crossings, with granite blocks in a manner satisfactory to said South Park Commissioners; and said railway company shall pave the entire intersection of said crossings with granite or brick paving blocks at any time when the South Park Commissioners shall consider it necessary so to do, and shall make an order for such improvement.

Sec. 3. No cars, horses, or other obstructions shall ever stop or stand upon the said crossings; and all stoppages to take on or let off passengers, or for other pur-

poses, shall be before reaching or after crossing the said boulevard and avenue.

Sec. 4. If at any time said conditions and restrictions are not complied with, or the tracks and cars thereon become, in the opinion of the South Park Commissioners, too great an obstruction to driving upon said boulevard or avenue or if the commissioners for any other reason desire the said tracks to be removed, then said railway company is to remove the said tracks, and replace the roadway and crossings in perfect order and condition as they now are, all at the expense of the said railway company.

Sec. 5. That in the exercise of the permission hereby granted, the said Chicago City Railway Company shall not make use of steam power in propelling or operating its cars across said boulevard and avenue, nor permit any dummy or other engine to cross or recross the same at any time. Provided, however, that if said company should determine to operate and propel its cars at the points mentioned by electricity, the said company is hereby permitted to so propel and operate its cars, but it is especially provided and understood that no pole for carrying the electric wire shall be placed within the lines of said boulevard and avenue, or cross the same except only by the consent and approval of the Superintendent of the South Park Commissioners.

Sec. 6. That permission hereby granted is to be temporary and subject to such further or other restrictions as said South Park Commissioners or their successors may, from time to time, deem advisable, and also subject to be wholly revoked in the discretion of the said Commissioners.

Sec. 7. This ordinance shall be in force from and

after its written acceptance by said Chicago City Railway Company; unless such acceptance be filed with the Secretary of the said South Park Commissioners within thirty days after the passage hereof, this ordinance shall be null and void.

ORDINANCE GRANTING THE CHICAGO CITY RAILWAY COMPANY PERMISSION TO LAY DOWN, MAINTAIN AND OPERATE A DOUBLE TRACK STREET RAILWAY ACROSS WESTERN AVENUE BOULEVARD AT THIRTY-FIFTH STREET. [PASSED OCTOBER 12TH, 1892.]

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. That in consideration of the undertaking by the Chicago City Railway Company to comply with the conditions of this ordinance, permission is hereby granted to said Chicago City Railway Company to lay down, maintain and operate a double track street railway across Western Avenue boulevard at Thirty-fifth street.

Sec. 2. That said tracks shall be laid to the grade and line indicated by the South Park Commissioners and under the supervision and direction of the Superintendent of the South Park Commissioners, and after tracks are laid, the roadway shall be replaced in perfect order and condition, as it now is, at the expense of the said railway company, and to be so kept by it at all times in such manner as shall be directed by said Superintendent, and said Chicago City Railway Company shall pave the space between the rails and for twelve feet on each side of the outer rail, from the east line of the boulevard to the east line of Western Avenue road, to the grade given by the South Park Commissioners, with granite paving blocks.

Sec. 3. No cars, horses, or other obstructions shall ever stop or stand upon the said boulevard or crossing, and all stoppages to take on or let off passengers, or for other purposes shall be before reaching or after crossing the boulevard.

Sec. 4. If at any time said conditions and restrictions are not complied with, or the tracks and cars thereon become in the opinion of the South Park Commissioners too great an obstruction to driving upon said boulevard, or if the Commissioners for any other reason desire the said tracks to be removed, then said railway company is to remove the said tracks and replace the roadway and boulevard in perfect order and condition as they now are, all at the expense of the said railway company.

Sec. 5. That in the exercise of the permission hereby granted, said company shall not make use of steam power, nor anything but horse power in propelling, conducting or operating its cars across said boulevard, nor permit any dummy or other engine to cross or recross the same at any time.

Sec. 6. That the permission hereby granted is to be temporary and subject to such further or other restrictions as said South Park Commissioners or their successors may from time to time deem advisable, and also subject to be wholly revoked in the discretion of said commissioners.

Sec. 7. This ordinance shall be in force from and after its written acceptance by said Chicago City Railway Company. Unless such acceptance be filed with the Secretary of the said South Park Commissioners within thirty days after the passage hereof, this ordinance shall be null and void.

AMENDMENT TO ORDINANCE GRANTING THE CHICAGO CITY RAILWAY COMPANY PERMISSION TO LAY DOWN, MAINTAIN AND OPERATE A DOUBLE TRACK STREET RAILWAY ACROSS WESTERN AVENUE BOULEVARD AT THIRTY-FIFTH STREET. [PASSED NOVEMBER 11TH, 1892.]

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. That section 5 of an ordinance heretofore passed on the 12th day of October, 1892, by the South Park Commissioners, being an ordinance granting to the Chicago City Railway Company permission to lay down, maintain and operate a double track street railway across Western Avenue Boulevard at Thirty-fifth street, be, and the same is hereby amended by striking from said ordinance said section 5, and inserting in lieu and stead thereof the following:

Sec. 5. That in the exercise of the permission hereby granted said Chicago City Railway Company shall not make use of steam power nor anything but horse power and electric power in propelling, conducting and operating its cars across said boulevard, nor permit any dummy or other engine to cross or recross the same at any time.

Sec. 2. This ordinance shall be in force and take effect from and after its written acceptance by said Chicago City Railway Company, and unless said acceptance be filed with the secretary of the Board of South Park Commissioners within 30 days after its passage this ordinance shall be null and void.

ORDINANCE GRANTING TO CHICAGO CITY RAILWAY COMPANY PERMISSION TO OPERATE WITH ELECTRIC POWER ACROSS GARFIELD BOULEVARD AT INTERSECTION OF HALSTED STREET. [PASSED SEPTEMBER 12TH, 1894.]

Whereas, on November 12th, 1884, the Chicago City Railway Company was given permission to cross Garfield boulevard at Halsted street, subject to certain conditions imposed upon said Chicago City Railway Company;

And, whereas, The said Chicago City Railway Company is now desirous of using electric power for the propelling of its cars, instead of horse power;

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. That in consideration of the undertaking by the Chicago City Railway Company to comply with the conditions heretofore imposed upon it in reference to the crossing of Garfield boulevard at its intersection with Halsted street, and also to comply with the conditions of this ordinance, permission is hereby given to said Chicago City Railway Company to make use of electric power in propelling, conducting or operating its street cars across Garfield boulevard at its intersection with Halsted street.

Sec. 2. That the said tracks now on said boulevard shall be replaced or made suitable to the use of street cars propelled by electric power, under the supervision and direction of the superintendent of the South Park Commissioners, and after the tracks are so renewed or made suitable to the purpose of street cars propelled by electric power, the roadway shall be replaced in perfect order and condition at the expense of said railway company, and to be so kept by it at its expense at all times in such manner as shall be direct-

ed by said superintendent, and when said tracks are so renewed or made suitable to the purpose of street cars propelled by electric power, the said railway company shall pave the space between their rails, and also the space on each side of their tracks extending to the gutter line established by the South Park Commissioners with granite paving block in a manner satisfactory to the said South Park Commissioners, and shall maintain this pavement in good condition.

Sec. 3. That said railway company shall have the privilege of erecting four iron posts in Garfield boulevard at the crossing of Halsted street at points indicated by the South Park Commissioners; that said posts shall be of character and size satisfactory to the said Park Commissioners; that the trolley and supporting wires held by the said four posts shall be at an elevation above the surface of said boulevard indicated by the said South Park Commissioners, not, however, to be less than sixteen feet; that no feed wire or wires shall cross the said boulevard above the surface of said boulevard.

Sec. 4. That no feed wire or wires or any other conductors, conveyors or conduits other than the trolley and supporting wires above referred to shall be placed or maintained by the said railway company across said boulevard; that if any feed wire or wires are necessary to be run across the said boulevard, special permission shall first be obtained thereto from the South Park Commissioners, and if permission is granted such feed wires shall be carried under ground under the directions prescribed and conditions imposed by the South Park Commissioners.

Sec. 5. No street cars, horses or other obstructions

shall ever stop or stand upon the said crossings, and all stoppage of cars to take on or let off passengers, or for other purposes, shall be before reaching or after crossing the said boulevard.

Sec. 6. The said railway company shall not at any time operate or propel its cars across the said boulevard at a rate of speed exceeding four miles an hour.

Sec. 7. That in the exercise of the permission hereby granted the said Chicago City Railway Company shall not make use of any other power in propelling and operating its cars across said boulevard than the power for which permission is hereby granted, nor shall the said electric power be any other than by means of electric motors placed on said street cars and operated by an electric current generated by stationary machinery at a distance and conveyed to the said street cars through the agency of an overhead trolley wire.

Sec. 8. The said Chicago City Railway Company shall indemnify and save harmless the said South Park Commissioners against and from any and all damages, judgments, decrees and costs and expenses which said South Park Commissioners may suffer and which may be recoverable or obtained against said South Park Commissioners for or by reason of the granting of the privileges hereby conferred upon said railway company or for or by reason of, or growing out of, or resulting from, the exercise by said railway company of the privileges hereby granted.

Sec. 9. The permission hereby granted is to be temporary and subject to such further or other restrictions as said South Park Commissioners or their successors may from time to time deem advisable and also sub-

ject to be wholly revoked in the discretion of the said Commissioners.

Sec. 10. This ordinance shall be in force from and after its written acceptance by the said Chicago City Railway Company, and unless such acceptance be filed with the secretary of the South Park Commissioners within thirty days after the passage hereof this ordinance shall be null and void.

ORDINANCE GRANTING TO CHICAGO CITY RAILWAY COMPANY PERMISSION TO OPERATE WITH ELECTRIC POWER ACROSS MICHIGAN AVENUE AT INTERSECTION OF THIRTY-NINTH STREET, GRAND BOULEVARD AT INTERSECTION OF THIRTY-NINTH STREET, AND GARFIELD BOULEVARD AT INTERSECTION OF WENTWORTH AVENUE. [PASSED OCTOBER 31ST, 1894.]

Whereas, The Chicago City Railway Company has tracks across Michigan avenue at Thirty-ninth street, Grand Boulevard at Thirty-ninth street, and Garfield Boulevard at Wentworth avenue, subject to certain conditions imposed by ordinances giving permission to lay said tracks;

And whereas, The said Chicago City Railway Company is now desirous of using electric power for the propelling of its cars instead of horse power;

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. That in consideration of the undertaking by the Chicago City Railway Company to comply with the conditions heretofore imposed upon it in reference to the crossing of Michigan avenue at Thirty-ninth street, Grand Boulevard at Thirty-ninth street, and Garfield Boulevard at Wentworth avenue; and also to com-

ply with the conditions of this ordinance, permission is hereby given to said Chicago City Railway Company to make use of electric power in propelling, conducting and operating its cars across Michigan avenue at Thirty-ninth street, Grand Boulevard at Thirty-ninth street, and Garfield Boulevard at Wentworth avenue.

Sec. 2. That the said tracks now on said avenue and boulevards shall be replaced or made suitable to the use of street cars propelled by electric power, under the supervision and direction of the superintendent of the South Park Commissioners, and after the tracks are so renewed or made suitable to the purpose of street cars propelled by electric power, the roadway shall be replaced in perfect order and condition at the expense of said railway company, and to be so kept by it at its expense at all times, in such manner as shall be directed by said superintendent; and when said tracks are so renewed or made suitable to the purpose of street cars propelled by electric power the said railway company shall pave the space between the rails, and also the space on each side of their tracks extending to the gutter line established by the South Park Commissioners with granite paving block, or brick, or such material as directed by and in a manner satisfactory to said South Park Commissioners, and shall maintain this pavement in good condition.

Sec. 3. That said railway company shall have the privilege of erecting four iron posts in Grand Boulevard at the crossing of Thirty-ninth street, and four iron posts in Garfield Boulevard at the crossing of Wentworth avenue, at points indicated by the South Park Commissioners, that said posts shall be of the character and size satisfactory to said Commissioners;

that the trolley and supporting wires held by said four posts shall be at an elevation above the surface of said avenue and boulevards indicated by said South Park Commissioners, not, however, to be less than sixteen feet; that no feed wire, or wires, shall cross the said avenue and boulevards above the surface of said avenue and boulevards.

Sec. 4. That no feed wire or wires or any other conductors, conveyors or conduits other than the trolley and supporting wires above referred to, shall be placed or maintained by said railway company across said avenue or boulevards; that if any feed wire or wires are necessary to be run across the said avenue or boulevards special permission shall first be obtained thereto from the South Park Commissioners, and if permission is granted such feed wires shall be carried under ground under the directions prescribed and conditions imposed by the said South Park Commissioners.

Sec. 5. No street cars, horses or other obstructions shall ever stop or stand upon said crossings, and all stoppages of cars to take on or let off passengers, or for any other purpose, shall be before reaching or after crossing the said avenue or boulevards.

Sec. 6. The said railway company shall not at any time operate or propel its cars across the said avenue or boulevards at a rate of speed exceeding four miles an hour, having first made a full stop before entering on said avenue or boulevards.

Sec. 7. That in the exercise of the permission hereby granted the said Chicago City Railway Company shall not make use of any other power in propelling and operating its cars across said avenue or boulevards than the power for which permission is hereby granted,

nor shall the said electric power be any other than by means of electric motors placed on said street cars and operated by an electric current generated by stationary machinery at a distance and conveyed to said street cars through the agency of an overhead trolley wire.

Sec. 8. That said Chicago City Railway Company shall indemnify and save harmless the said South Park Commissioners against and from any and all damages, judgments, decrees and costs and expenses which said South Park Commissioners may suffer, and which may be recoverable or obtained against said South Park Commissioners for or by reason of the granting of the privileges hereby conferred upon said railway company, or for, or by reason of, or growing out of, or resulting from, the exercise by said railway company of the privileges hereby granted.

Sec. 9. The permission hereby granted is to be temporary and subject to such further or other restrictions as said South Park Commissioners, or their successors, may from time to time deem advisable, and also subject to be wholly revoked in the discretion of said Commissioners.

Sec. 10. This ordinance shall be in force from and after its written acceptance by said Chicago City Railway Company, and unless such acceptance be filed with the secretary of the South Park Commissioners within thirty days after the passage hereof this ordinance shall be null and void.

ORDINANCE GRANTING TO THE CHICAGO CITY RAILWAY COMPANY PERMISSION TO OPERATE WITH ELECTRIC POWER ACROSS MICHIGAN AVENUE AT INTERSECTIONS OF TWENTY-SIXTH STREET, THIRTY-FIRST STREET AND FORTY-THIRD STREET, ACROSS GRAND BOULEVARD AT INTERSECTION OF FORTY-THIRD STREET, AND ACROSS DREXEL BOULEVARD AT INTERSECTION OF FORTY-THIRD STREET. [PASSED DECEMBER 12TH, 1894.]

Whereas, The Chicago City Railway Company has tracks across Michigan avenue at Twenty-sixth street, Thirty-first street and Forty-third street, Grand Boulevard at Forty-third street, and Drexel Boulevard at Forty-third street, subject to certain conditions imposed by ordinances giving permission to lay said tracks;

And, whereas, The Chicago City Railway Company is now desirous of using electric power for the propelling of its cars, instead of horse power;

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. That in consideration of the undertaking by the Chicago City Railway Company to comply with the conditions heretofore imposed upon it in reference to the crossing of Michigan avenue at Twenty-sixth street, Thirty-first street and Forty-third street, Grand Boulevard at Forty-third street and Drexel Boulevard at Forty-third street, and also to comply with the conditions of this ordinance, permission is hereby given to said Chicago City Railway Company to make use of electric power in propelling, conducting and operating its cars across Michigan avenue at Twenty-sixth street, Thirty-first street and Forty-third street, Grand Boulevard at Forty-third street and Drexel Boulevard at Forty-third street.

Sec. 2. That the said tracks now on said avenue and

boulevards shall be replaced or made suitable to the use of street cars propelled by electric power, under the supervision and direction of the superintendent of the South Park Commissioners, and after the tracks are so renewed or made suitable to the purpose of street cars propelled by electric power the roadway shall be replaced in perfect order and condition at the expense of the said railway company, and to be so kept by it at its expense at all times, in such manner as shall be directed by said superintendent, and when said tracks are so renewed or made suitable to the purpose of street cars propelled by electric power the said railway company shall pave the space between the rails, and also the space on each side of their tracks extending to the gutter line established by the South Park Commissioners, with granite paving blocks, or brick, or such material as directed by, and in a manner satisfactory to said South Park Commissioners, and shall maintain this pavement in good condition.

Sec. 3. That said railway company shall have the privilege of erecting four iron posts in Grand Boulevard at the crossing of Forty-third street and four iron posts in Drexel Boulevard at the crossing of Forty-third street, at points indicated by the South Park Commissioners; that said posts shall be of the character and size satisfactory to said Commissioners; that the trolley and supporting wires held by said four posts shall be at an elevation above the surface of said avenue and boulevards indicated by said South Park Commissioners, not, however, to be less than sixteen feet; that no feed wire, or wires, shall cross the said avenue and boulevards above the surface of said avenue and boulevards.

Sec. 4. That no feed wire or wires, or any other conductors, conveyors or conduits, other than the trolley and supporting wires above referred to, shall be placed or maintained by said railway company across said avenue or boulevards; that if any feed wire or wires are necessary to be run across the said avenue or boulevards special permission shall first be obtained thereto from the South Park Commissioners, and if permission is granted, such feed wires shall be carried under ground under the directions prescribed and conditions imposed by the said South Park Commissioners.

Sec. 5. No street cars, horses or other obstructions shall ever stop or stand upon said crossings, and all stoppages of cars to take on or let off passengers, or for any other purpose, shall be before reaching or after crossing the said avenue or boulevards.

Sec. 6. The said railway company shall not at any time operate or propel its cars across the said avenue or boulevards at a rate of speed exceeding four miles an hour, having first made a full stop before entering on said avenue or boulevards.

Sec. 7. That in the exercise of the permission hereby granted, the said Chicago City Railway Company shall not make use of any other power in propelling and operating its cars across said avenue or boulevards than the power for which permission is hereby granted; nor shall the said electric power be any other than by means of electric motors placed on said street cars and operated by an electric current generated by stationary machinery at a distance and conveyed to said street cars through the agency of an overhead trolley wire.

Sec. 8. The said Chicago City Railway Company

shall indemnify and save harmless the said South Park Commissioners against and from any and all damages, judgments, decrees and costs, and expenses which said South Park Commissioners may suffer, and which may be recoverable or obtained against said South Park Commissioners for or by reason of the granting of the privileges hereby conferred upon said railway company, or for, or by reason of, or growing out of, or resulting from, the exercise by said railway company of the privileges hereby granted.

Sec. 9. The permission hereby granted is to be temporary and subject to such further or other restrictions as said South Park Commissioners, or their successors, may from time to time deem advisable, and also subject to be wholly revoked in the discretion of said Commissioners.

Sec. 10. And, whereas, there was heretofore granted a permit, by sundry ordinances, to Chicago City Railway Company to propel its cars by electricity across Grand Boulevard and Michigan avenue at Forty-seventh street, and also Garfield Boulevard at Halsted street, and also Western Avenue Boulevard at Thirty-fifth street, upon terms and conditions therein respectively contained, and wherein respectively there is no provision compelling the cars to come to a full stop before crossing said respective boulevards.

NOW, THEREFORE, IT IS HEREBY FURTHER ORDAINED BY THE SOUTH PARK COMMISSIONERS,

That said Chicago City Railway Company shall at each of the intersections herein last mentioned, to-wit: At Grand Boulevard and Michigan avenue, at Forty-seventh street, Garfield Boulevard at Halsted street, and also at Western Avenue Boulevard at Thir-

ty-fifth street, cause each and every car before crossing said respective boulevards to come to a full stop.

Sec. 11. That no car of the Chicago City Railway Company propelled by electricity shall cross any boulevard under the control and jurisdiction of the South Park Commissioners at a greater rate of speed than four miles per hour.

Sec. 12. This ordinance shall be in force from and after its written acceptance by said Chicago City Railway Company, and unless such acceptance be filed with the secretary of the South Park Commissioners within thirty days after the passage hereof this ordinance shall be null and void.

ORDINANCE GRANTING TO THE CHICAGO CITY RAILWAY COMPANY PERMISSION TO OPERATE WITH ELECTRIC POWER ACROSS GARFIELD BOULEVARD AT THE INTERSECTION OF ASHLAND AVENUE, AND WESTERN AVENUE AT THE INTERSECTION OF ARCHER AVENUE. [PASSED MAY 8TH, 1895.]

Whereas, The Chicago City Railway Company has tracks across Garfield Boulevard at Ashland avenue, and Western avenue at Archer avenue, subject to certain conditions imposed by ordinances giving permission to lay said tracks;

And, whereas, The Chicago City Railway Company is now desirous of using electric power for the propelling of its cars, instead of horse power;

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. That in consideration of the undertaking by the Chicago City Railway Company to comply with the conditions heretofore imposed upon it in ref-

erence to the crossing of Garfield Boulevard at Ashland avenue, and Western avenue at Archer avenue, and also to comply with the conditions of this ordinance, permission is hereby given to said Chicago City Railway Company to make use of electric power in propelling, conducting and operating its cars across Garfield Boulevard at Ashland avenue and Western avenue at Archer avenue.

Sec. 2. That the said tracks now on said avenue and boulevard shall be replaced or made suitable to the use of street cars propelled by electric power, under the supervision and direction of the superintendent of the South Park Commissioners, and, after the tracks are so renewed or made suitable to the purpose of street cars propelled by electric power, the roadway shall be replaced in perfect order and condition at the expense of the said railway company, and to be so kept by it at its expense at all times in such manner as shall be directed by said superintendent, and when said tracks are so renewed or made suitable to the purpose of street cars propelled by electric power the said railway company shall pave the space between the rails, and also the space on each side of the tracks extending to the gutter line established by the South Park Commissioners, with granite paving blocks, or brick, or such material as directed by, and in a manner satisfactory to said South Park Commissioners, and shall maintain this pavement in good condition.

Sec. 3. That said railway company shall have the privilege of erecting four iron posts in Garfield Boulevard at the crossing of Ashland avenue, and such number of iron posts as may be directed by the South Park Commissioners, not exceeding five, in Western

avenue at the crossing of Archer avenue, at points indicated by the South Park Commissioners; that said posts shall be of the character and size satisfactory to said Commissioners; that the trolley and supporting wires held by said posts shall be at an elevation above the surface of said avenue and boulevard indicated by said South Park Commissioners, not, however, to be less than sixteen feet; that no feed wire, or wires, shall cross the said avenue and boulevard above the surface of said avenue and boulevard.

Sec. 4. That no feed wire or wires, or any other conductors, conveyors or conduits, other than the trolley and supporting wires above referred to, shall be placed or maintained by said railway company across said avenue or boulevard; that if any feed wire or wires are necessary to be run across the said avenue or boulevard special permission shall first be obtained thereto from the South Park Commissioners, and if permission is granted such feed wires shall be carried under ground under the directions prescribed and conditions imposed by the said South Park Commissioners.

Sec. 5. No street cars, horses, or other obstructions shall ever stop or stand upon said crossings, and all stoppages of cars to take on or let off passengers, or for any other purpose, shall be before reaching or after crossing the said avenue or boulevard.

Sec. 6. The said railway company shall not at any time operate or propel its cars across the said avenue or boulevard at a rate of speed exceeding four miles an hour, having first made a full stop before entering on said avenue or boulevard.

Sec. 7. That in the exercise of the permission hereby granted the said Chicago City Railway Company

shall not make use of any other power in propelling and operating its cars across said avenue or boulevard than the power for which permission is hereby granted, nor shall the said electric power be any other than by means of electric motors placed on said street cars and operated by an electric current generated by stationary machinery at a distance and conveyed to said street cars through the agency of an over-head trolley wire.

Sec. 8. The said Chicago City Railway Company shall indemnify and save harmless the said South Park Commissioners against and from any and all damages, judgments, decrees and costs, and expenses which said South Park Commissioners may suffer and which may be recoverable or obtained against said South Park Commissioners for or by reason of the granting of the privileges hereby conferred upon said railway company, or for, or by reason of, or growing out of, or resulting from the exercise by said railway company of the privileges hereby granted.

Sec. 9. The permission hereby granted is to be temporary and subject to such further or other restrictions as said South Park Commissioners, or their successors, may from time to time deem advisable, and also subject to be wholly revoked in the discretion of said Commissioners.

Sec. 10. This ordinance shall be in force from and after its written acceptance by said Chicago City Railway Company, and unless such acceptance be filed with the secretary of the South Park Commissioners within thirty days after the passage hereof this ordinance shall be null and void.

ORDINANCE GRANTING TO THE CHICAGO CITY RAILWAY COMPANY PERMISSION TO LAY DOWN, MAINTAIN AND OPERATE A DOUBLE TRACK STREET RAILWAY AT FORTY-SEVENTH STREET ACROSS WESTERN AVENUE BOULEVARD. [PASSED JULY 8TH, 1895.]

Whereas, The City Council of the City of Chicago heretofore, to-wit: on the 8th day of July, A. D. 1895, duly passed an ordinance granting and permitting the Chicago City Railway Company the right to lay down, maintain and operate by electricity and other power, a double track street railway upon and along Forty-seventh street from the present terminus of the tracks on said Forty-seventh street to the intersection of Archer avenue with said street; therefore,

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. That in consideration of the undertaking by the Chicago City Railway Company to comply with the conditions of this ordinance permission is hereby granted to said Chicago City Railway Company to lay down and maintain a double track street railway across Western Avenue Boulevard at Forty-seventh street, and to operate the same with electricity or horse power.

Sec. 2. Said tracks shall be laid under the supervision and direction of the superintendent of the South Park Commissioners, and after said tracks are laid the roadway shall be replaced in perfect order and condition at the expense of said railway company, and to be so kept by it at all times, in such manner as shall be directed by the superintendent of the South Park Commissioners, and when said tracks are laid the said railway company shall pave the space between the rails and also on each side of its tracks extending to

the curb and cross-walk lines as established by the Park Commissioners in said Western Avenue Boulevard crossing, with granite blocks or such other material as the South Park Commissioners may determine and direct, and in a manner satisfactory to said superintendent; and shall maintain such pavement in good condition.

Sec. 3. That said railway company shall have the privilege of erecting the necessary iron posts on Western Avenue Boulevard crossing of Forty-seventh street; that such posts shall be of a character and size satisfactory to said Commissioners; that the trolley and overhead wires held by said poles shall be at an elevation above the surface of said boulevard indicated by the said South Park Commissioners, not, however, to be less than sixteen feet; that no feed wire or wires shall cross said Western Avenue Boulevard crossing of Forty-seventh street above the surface of said boulevard, and such wire or wires, if any are used, shall be placed underground at said Western Avenue Boulevard crossing of Forty-seventh street, and under the direction and supervision of the superintendent of said South Park Commissioners; said posts shall be placed in such a way and manner as is satisfactory to the superintendent of the said South Park Commissioners.

Sec. 4. That no street cars or other obstructions shall ever stop or stand upon said crossing, and all stoppages of cars to take on or let off passengers, or for any other purpose, shall be before reaching or after crossing said boulevard, and all cars approaching said boulevard shall come to a full stop before crossing the same.

Sec. 5. Said railway company shall not at any time

operate or propel its cars across said boulevard at a rate of speed exceeding four miles an hour.

Sec. 6. That in the exercise of the permission hereby granted, the Chicago City Railway Company shall not make use of any other power, nor propel or operate its cars across said boulevard, than the power for which permission is hereby granted, nor shall said electric power be other than by means of electric motors placed on the street cars and operated by the electric current generated by stationary machinery placed at a distance and conveyed to said cars through the agency of an overhead trolley wire.

Sec. 7. That the Chicago City Railway Company shall indemnify and save harmless the South Park Commissioners against and from any and all damages, decrees and costs and expenses which said South Park Commissioners may suffer, or which may be recoverable or obtained against said South Park Commissioners for or by reason of the granting of the privileges hereby conferred upon said company, or for or by reason of, or growing out of, or resulting from the exercise by said company of the privileges hereby granted.

Sec. 8. The permission hereby granted is subject to such further order or other restrictions as the South Park Commissioners, or their successors, may from time to time deem advisable.

Sec. 9. That a grooved or such other rail as the South Park Commissioners may direct shall be laid by the Chicago City Railway Company, in the Western Avenue Boulevard crossing at Forty-seventh street, the section of which shall be approved by the South Park Commissioners.

Sec. 10. This ordinance shall be in force from and

after its written acceptance by said Chicago City Railway Company, and unless such acceptance be filed with the secretary of the South Park Commissioners within thirty days after its passage this ordinance shall be null and void.

AN ORDINANCE GRANTING THE CHICAGO CITY RAILWAY COMPANY PERMISSION TO LAY DOWN, MAINTAIN AND OPERATE A DOUBLE TRACK STREET RAILWAY ACROSS DREXEL BOULEVARD AT FORTY-SEVENTH STREET. [PASSED OCTOBER 9TH, 1895.]

Whereas, The City Council of the City of Chicago heretofore, to-wit: on the 8th day of July, A. D. 1895, duly passed an ordinance granting and permitting the Chicago City Railway Company to lay down, maintain and operate by electricity a double track street railway upon and along Forty-seventh street from Cottage Grove avenue to the lake; therefore,

BE IT ORDAINED BY THE BOARD OF SOUTH PARK COMMISSIONERS:

Section 1. That in consideration of the undertaking by the Chicago City Railway Company to comply with the conditions of this ordinance, permission is hereby granted to said Chicago City Railway Company to lay down and maintain a double track street railway across Drexel Boulevard at Forty-seventh street, and to operate the same with electricity or horse power.

Sec. 2. Said tracks shall be laid under the supervision and direction of the superintendent of the South Park Commissioners, and after said tracks are laid the roadway shall be replaced in perfect order and con-

dition at the expense of said railway company, and to be so kept by it at all times, in such manner as shall be directed by said superintendent, and when said tracks are laid the said railway company shall pave the space between the rails and also the space on each side of its tracks extending to the curb and cross walk lines as established by the South Park Commissioners in said Drexel Boulevard crossing, with granite blocks or such other material as the South Park Commissioners may determine and direct, and in a manner satisfactory to said superintendent, and shall maintain such pavement in good condition.

Sec. 3. That said railway company shall have the privilege of erecting four iron posts in Drexel Boulevard crossing of Forty-seventh street; that such posts shall be of a character and size satisfactory to said Commissioners; that the trolley and overhead wires held by said poles shall be at an elevation above the surface of said boulevard indicated by the said South Park Commissioners, not, however, to be less than sixteen feet; that no feed wire or wires shall cross said Drexel Boulevard at Forty-seventh street above the surface of said boulevard, and such feed wire or wires, if any are used, shall be placed under ground at said Drexel Boulevard crossing of Forty-seventh street, and under the direction and supervision of the superintendent of said South Park Commissioners; said posts shall be placed in such a way and manner as is satisfactory to the superintendent of the South Park Commissioners.

Sec. 4. That no street cars or other obstructions shall ever stop or stand upon said crossing, and all stoppages of cars to take on or let off passengers, or

for any other purpose, shall be before reaching or after crossing the said boulevard, and all cars approaching said boulevard shall come to a full stop before crossing the same.

Sec. 5. Said railway company shall not at any time operate or propel its cars across the said boulevard at a rate of speed exceeding four miles an hour.

Sec. 6. That in the exercise of the permission hereby granted, the Chicago City Railway Company shall not make use of any other power, nor propel or operate its cars across said boulevard, other than the power for which permission is hereby granted; nor shall said electric power be other than by means of electric motors placed on street cars and operated by electric current generated by stationary machinery placed at a distance and conveyed to said cars through the agency of an overhead trolley wire.

Sec. 7. That the Chicago City Railway Company shall indemnify and save harmless the said South Park Commissioners against and from any and all damages, decrees and costs and expenses which said South Park Commissioners may suffer, or which may be recoverable or obtained against said South Park Commissioners, for or by reason of the granting of the privileges hereby conferred upon said company, or for, or by reason of, or growing out of, or resulting from the exercise by said company of the privileges herein granted.

Sec. 8. The permission hereby granted is subject to such further order or other restrictions as the South Park Commissioners, or their successors, may from time to time deem advisable.

Sec. 9. That a grooved or such other rail as the South Park Commissioners may direct shall be laid by

the Chicago City Railway Company in the Drexel Boulevard crossing at Forty-seventh street, the section of which shall be approved by the South Park Commissioners.

Sec. 10. That the Chicago City Railway Company shall, upon an order to that effect from the South Park Commissioners, put in grooved or other rails of a section satisfactory to the South Park Commisioners at any of the points where the said company's tracks cross the boulevards under the control of the South Park Commissioners, when the said company for any reason desire to replace the rails at such crossings.

Sec. 11. This ordinance shall be in force from and after its written acceptance by said Chicago City Railway Company, and unless such acceptance be filed with the secretary of the South Park Commissioners within thirty days after its passage this ordinance shall be null and void.

ORDINANCE GRANTING TO THE CHICAGO CITY RAILWAY COMPANY PERMISSION TO OPERATE WITH ELECTRIC POWER ACROSS MICHIGAN AVENUE AT INTERSECTION OF FIFTY-FIRST STREET. [PASSED DECEMBER 11TH, 1895.]

Whereas, The Chicago City Railway Company has tracks across Michigan avenue at Fifty-first street, subject to certain conditions imposed by ordinance giving permission to lay said tracks;

And, Whereas, The Chicago City Railway Company is now desirous of using electric power for the propelling of its cars, instead of horse power;

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. That in consideration of the undertaking by the Chicago City Railway Company to comply

with the conditions heretofore imposed upon it in reference to the crossing of Michigan avenue at Fifty-first street, and also to comply with the conditions of this ordinance, permission is hereby given to said Chicago City Railway Company to make use of electric power in propelling, conducting and operating its cars across Michigan avenue at Fifty-first street.

Sec. 2. That the said tracks now at the said intersection of Michigan avenue and Fifty-first street shall be replaced or made suitable to the use of street cars propelled by electric power, under the supervision and direction of the superintendent of the South Park Commissioners, and after the tracks are so renewed or made suitable to the purpose of street cars propelled by electric power the roadway shall be replaced in perfect order and condition at the expense of the said railway company, and to be so kept by it at its expense at all times, in such manner as shall be directed by said superintendent, and when directed so to do by the South Park Commissioners the said railway company shall pave the space between the rails, and also the space on each side of its tracks extending to the gutter and cross walk lines established by the South Park Commissioners, with granite paving blocks, or such other material as directed by, and in a manner satisfactory to, said South Park Commissioners, and shall maintain this pavement in good condition.

Sec. 3. That the trolley wires shall be at an elevation above the surface of Michigan avenue at said intersection of Fifty-first street indicated by said South Park Commissioners, not, however, to be less than sixteen feet; that no feed wire, or wires, shall cross the said avenue above the surface of said avenue.

Sec. 4. That no feed wire, or wires, or any other conductors, conveyors or conduits, other than the trolley wires above referred to, shall be placed or maintained by said railway company across said avenue; that if any feed wire or wires are necessary to be run across the said avenue special permission shall first be obtained thereto from the South Park Commissioners, and if permission is granted such feed wires shall be carried under ground under the directions prescribed and conditions imposed by the said South Park Commissioners.

Sec. 5. No street cars, horses or other obstructions shall ever stop or stand upon said crossing, and all stoppages of cars to take on or let off passengers, or for any other purpose, shall be before reaching or after crossing the said avenue.

Sec. 6. The said railway company shall not at any time operate or propel its cars across said avenue at a rate of speed exceeding four miles an hour, having first made a full stop before entering on said avenue.

Sec. 7. That in the exercise of the permission hereby granted, the said Chicago City Railway Company shall not make use of any other power in propelling and operating its cars across said avenue than the power for which permission is hereby granted; nor shall the said electric power be any other than by means of electric motors placed on said street cars and operated by an electric current generated by stationary machinery at a distance and conveyed to said street cars through the agency of an overhead trolley wire.

Sec. 8. The said Chicago City Railway Company shall indemnify and save harmless the said South Park

Commissioners against and from any and all damages, judgments, decrees and costs, and expenses which said South Park Commissioners may suffer, and which may be recoverable or obtained against said South Park Commissioners for or by reason of the granting of the privileges hereby conferred upon said railway company, or for, or by reason of, or growing out of, or resulting from, the exercise by said railway company of the privileges hereby granted.

Sec. 9. The permission hereby granted is to be temporary and subject to such further or other restrictions as said South Park Commissioners, or their successors, may from time to time deem advisable, and also subject to be wholly revoked in the discretion of said Commissioners.

Sec. 10. This ordinance shall be in force from and after its written acceptance by the said Chicago City Railway Company, and unless such acceptance be filed with the secretary of the South Park Commissioners within thirty days after the passage hereof this ordinance shall be null and void.

ORDINANCE GRANTING THE CHICAGO CITY RAILWAY COMPANY PERMISSION TO LAY DOWN, MAINTAIN AND OPERATE A DOUBLE TRACK STREET RAILWAY ACROSS GARFIELD BOULEVARD AT CENTER AVENUE. [PASSED APRIL 8TH, 1896.]

Whereas, The City Council of the City of Chicago heretofore, to-wit: on the 9th day of July, A. D. 1894, duly passed an ordinance granting and permitting the Chicago City Railway Company the right to lay down, maintain and operate by electricity a double track

street railway upon and along Center avenue from Forty-seventh street to Sixty-third street; therefore,

BE IT ORDAINED BY THE BOARD OF SOUTH PARK COMMISSIONERS:

Section 1. That in consideration of the undertaking by the Chicago City Railway Company to comply with the conditions of this ordinance, permission is hereby granted to said Chicago City Railway Company to lay down and maintain a double track street railway across Garfield Boulevard at Center avenue, and to operate the same with electricity or horse power.

Sec. 2. Said tracks shall be laid under the supervision and direction of the superintendent of the South Park Commissioners, and after said tracks are laid the roadway shall be replaced in perfect order and condition at the expense of said railway company, and to be so kept by it at all times in such manner as shall be directed by the superintendent of the South Park Commissioners, and when said tracks are laid the said railway company shall pave the space between the rails and also on each side of its tracks extending to the curb and cross walk lines as established by the South Park Commissioners in said Garfield Boulevard crossing, with granite blocks or such other material as the South Park Commissioners may determine and direct, and in a manner satisfactory to said superintendent, and shall maintain such pavement in good condition.

Sec. 3. The said railway company shall have the privilege of erecting four iron posts on Garfield Boulevard crossing of Center avenue; that such posts shall be of a character and size satisfactory to said Commissioners; that the trolley and overhead wires held by said poles shall be at an elevation above the surface

of said boulevard indicated by the said South Park Commissioners, not, however, to be less than sixteen feet; that no feed wire or wires shall cross said Garfield Boulevard at Center avenue above the surface of said boulevard, and such feed wire or wires, if any are used, shall be placed under ground at said Garfield Boulevard crossing of Center avenue, and under the direction and supervision of the superintendent of said South Park Commissioners; said posts shall be placed in such a way and manner as is satisfactory to the superintendent of said South Park Commissioners.

Sec. 4. That no street cars or other obstructions shall ever stop or stand upon said crossing, and all stoppages of cars to take on or let off passengers, or for any other purpose, shall be before reaching or after crossing said boulevard, and all cars approaching said boulevard shall come to a full stop before crossing the same.

Sec. 5. The said railway company shall not at any time operate or propel its cars across said boulevard at a rate of speed exceeding four miles an hour.

Sec. 6. That in the exercise of the permission hereby granted, the Chicago City Railway Company shall not make use of any other power nor propel or operate its cars across said boulevard, than the power for which permission is hereby granted, nor shall said electric power be other than by means of electric motors placed on the street cars and operated by the electric current generated by stationary machinery placed at a distance and conveyed to said cars through the agency of an overhead trolley wire.

Sec. 7. That the Chicago City Railway Company shall indemnify and save harmless the South Park Com-

missioners against and from any and all damages, decrees and costs and expenses which said South Park Commissioners may suffer, or which may be recoverable or obtained against said South Park Commissioners for or by reason of the granting of the privileges hereby conferred upon said company, or for or by reason of, or growing out of, or resulting from the exercise by said company of the privileges hereby granted.

Sec. 8. The permission hereby granted is subject to such further order or other restrictions as the South Park Commissioners, or their successors, may from time to time deem advisable.

Sec. 9. That a grooved or such other rail as the South Park Commissioners may direct shall be laid by the Chicago City Railway Company in the Garfield Boulevard crossing at Center avenue, the section of which shall be approved by the South Park Commissioners.

Sec. 10. This ordinance shall be in force from and after its written acceptance by said Chicago City Railway Company, and unless such acceptance be filed with the secretary of the South Park Commissioners within thirty days after its passage, this ordinance shall be null and void.

ORDINANCE GRANTING THE CHICAGO CITY RAILWAY COMPANY THE RIGHT TO CHANGE THE MOTIVE POWER OF ITS CARS CROSSING THIRTY-FIFTH STREET BOULEVARD ON INDIANA AVENUE, AND CROSSING MICHIGAN AVENUE BOULEVARD ON EIGHTEENTH STREET, FROM HORSE TO ELECTRIC POWER. [PASSED NOVEMBER 18TH, 1896.]

Whereas, The Chicago City Railway Company has in operation on Indiana avenue, crossing Thirty-fifth street boulevard, and on Eighteenth street, crossing

Michigan avenue boulevard, a double track street railway, by horse cars, which it desires to change to electric power, in and by means of the overhead trolley; therefore,

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. That in consideration of the undertaking by the Chicago City Railway Company to comply with the conditions of this ordinance, permission is hereby granted to said Chicago City Railway Company to maintain the double track street railway crossing Thirty-fifth street boulevard on Indiana avenue, and crossing Michigan avenue boulevard on Eighteenth street, and to operate the same by electricity.

Sec. 2. The said tracks or rails at the respective crossings shall be changed from girder to grooved rails of a pattern satisfactory to the superintendent of the South Park Commissioners, and be laid under the supervision and direction of the superintendent of the South Park Commissioners, and after said tracks are laid the roadbed shall be placed in perfect order and condition at the expense of said Chicago City Railway Company, and to be so kept by it at all times and in such manner as shall be directed by the superintendent of the South Park Commissioners; and when said tracks are laid and in operation by electricity, at the respective crossings, the said Chicago City Railway Company shall pave the space between the rails, and also on each side of its tracks, extending to the curb and cross walk lines, as established by the South Park Commissioners, on said Thirty-fifth Street boulevard at Indiana avenue, and on said Michigan Avenue boulevard at Eighteenth street, with granite blocks or such other material as the South Park Commissioners may

determine and direct, and in a manner satisfactory to said superintendent of the South Park Commissioners, and shall maintain such pavement in good condition.

Sec. 3. That the trolley wire shall be at an elevation above the surface of the street, at the respective crossings, indicated by the South Park Commissioners, not, however, to be less than sixteen feet.

Sec. 4. That no feed wire or wires, or any other conductors, conveyors, or conduits other than the trolley wires above referred to, shall be placed or maintained by said company above and across said respective boulevards at the places aforesaid; that if any feed wire or wires are necessary to be run across the said respective boulevards at the crossings aforesaid, permission shall be first obtained therefor from the South Park Commissioners, and if permission is granted, such feed wires shall be carried underground under the directions and conditions prescribed and imposed by the South Park Commissioners.

Sec. 5. No street cars, horses or other obstructions shall stop or stand upon said crossings, and all stoppages of cars to take on and let off passengers, or for any other reason, shall be before reaching or after crossing the said respective boulevards, at the intersections aforesaid; and all cars approaching said boulevards shall come to a full stop before entering on the same.

Sec. 6. The said Chicago City Railway Company shall not, at any time, operate or propel its cars across said respective boulevards at the crossings aforesaid, at a rate of speed exceeding four miles an hour.

Sec. 7. That in the exercise of the permission hereby granted, the said Chicago City Railway Company

shall not make use of any power (except horses) in the propelling and operating of its cars across said boulevards, at the crossings aforesaid, other than the power for which permission is hereby granted, nor shall the electric power be other than by means of electric motors placed on said street cars and operated by the electric current generated by stationary machinery placed at a distance and conveyed to said cars through the agency of an overhead trolley wire.

Sec. 8. The said Chicago City Railway Company shall indemnify and save harmless the said South Park Commissioners against and from any and all damages, judgments, decrees and costs, and expenses which said South Park Commissioners may suffer, or which may be recoverable or obtained against said South Park Commissioners, for or by reason of the granting of the privileges hereby conferred upon said company, or for or by reason of, or growing out of, or resulting from the exercise by said company of the privileges hereby granted.

Sec. 9. The permission hereby granted is to be temporary, and subject to such further or other restrictions as the South Park Commissioners, or their successors, may from time to time deem advisable, and also to be wholly revoked, in the discretion of said South Park Commissioners.

Sec. 10. This ordinance shall be in force from and after its written acceptance by the Chicago City Railway Company, and unless such acceptance be filed with the secretary of the South Park Commissioners within thirty days after its passage, this ordinance shall be null and void.

CHICAGO TELEPHONE COMPANY.

ORDINANCE GIVING PERMISSION TO THE CHICAGO TELEPHONE COMPANY TO CONSTRUCT A CONDUIT ON THE EAST SIDE OF COTTAGE GROVE AVENUE FROM A POINT 100 FEET NORTH OF THE CENTER LINE OF FIFTY-FIRST STREET TO A POINT 350 FEET SOUTH THEREOF (AND ACROSS COTTAGE GROVE AVENUE TO THE NORTH LINE OF FIFTY-FIRST STREET), AND ON THE EAST SIDE OF COTTAGE GROVE AVENUE ACROSS THE MIDWAY PLAISANCE. [PASSED NOVEMBER 12TH, 1890.]

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. That in consideration of the undertaking by the Chicago Telephone Company to comply with the conditions of this Ordinance, permission is hereby given to said Chicago Telephone Company to construct a conduit on the east side of Cottage Grove avenue from a point 100 feet north of the center of 51st street to a point 350 feet south thereof and "across Cottage Grove avenue at the north line of 51st street" and on the east side of Cottage Grove avenue across the Midway Plaisance.

Sec. 2. The conduits shall be placed to the lines and grades given by the Park Commissioners, and the manholes, if any are absolutely necessary, shall be located where the Park Commissioners direct and covered in a manner that shall be satisfactory to said commissioners.

Sec. 3. The work of laying the conduit shall be done when and where, and in such manner as shall be specified by the Park Commissioners.

Sec. 4. The Park Commissioners shall replace all road material that is displaced by the opening of the trench, and the Chicago Telephone Company shall pay

to the Park Commissioners all the expenses and costs thereof.

Sec. 5. If at any time the conditions and restrictions imposed by the Park Commissioners are not complied with, or should the Park Commissioners in any manner, in making future improvements in these localities, deem said conduit an obstruction, or think it advisable to have same relaid to other lines, or entirely removed from these streets, then said Telephone Company agrees to remove or relay said conduit as ordered by the Park Commissioners, and to replace the roadways and boulevards in perfect order and condition as they now are, all at the expense of said Telephone Company: and to comply with the orders and conditions of said Park Commissioners in relation thereto.

Sec. 6. That the permission hereby granted is to be temporary and subject to such further restrictions as said Park Commissioners, or their successors may, from time to time deem necessary, and also subject to be wholly revoked in the discretion of the Park Commissioners.

Sec. 7. This Ordinance shall be in force from and after its acceptance by said Chicago Telephone Company; but unless accepted within 30 days from the passage thereof, this ordinance shall be null and void.

FIELD COLUMBIAN MUSEUM.

ORDINANCE CONCERNING A MUSEUM IN JACKSON PARK. [PASSED SEPTEMBER 12TH, 1894.]

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. The Field Columbian Museum is hereby authorized to maintain in the Fine Arts Building in

Jackson Park a museum for the collection and display of objects pertaining to natural history and the arts and sciences.

Sec. 2. So long as the said Field Columbian Museum shall occupy said building, it shall maintain said museum and building, and keep the same in good order and repair, and the said South Park Commissioners shall pay to the said Field Columbian Museum the sum of fifteen thousand dollars ($15,000) per year, payable in monthly installments of twelve hundred and fifty dollars ($1,250) each, commencing on the first day of October, 1894. And the said South Park Commissioners shall be at no further expense of any kind or character in regard to said museum, or the maintenance thereof, or in regard to the said building, or the maintenance or repair thereof.

Sec. 3. The said Field Columbian Museum may charge an admission fee to the said museum not exceeding twenty-five cents for each visitor over ten years of age, and not exceeding ten cents for each visitor of ten years of age and under, the proceeds thereof to be devoted to the maintenance of such museum; provided, that such museum shall be open to the public without charge on Saturdays and Sundays in each week; and to children in actual attendance upon any of the schools of this state, at all times.

Sec. 4. The said museum shall be kept open every day in the year; from May first to September first, from nine o'clock a. m. to six o'clock p. m.; and from September first to May first, from nine o'clock a. m. to four o'clock p. m.

Sec. 5. The South Park Commissioners and their

officers shall have admission to said building at all times without charge.

Sec. 6. All improvements in, betterments upon, and additions to said building made by the said Field Columbian Museum shall become the property of the South Park Commissioners without any additional payment therefor, except the said yearly sum above mentioned.

Sec. 7. This ordinance shall be accepted in writing by the said Field Columbian Museum within thirty days after its passage, otherwise it shall be null and void.

GRAND TRUNK RAILWAY.

ORDINANCE CONCERNING THE CROSSING OF WESTERN AVENUE. [PASSED AUGUST 10, 1881.]

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. That permission and authority be, and the same is hereby granted, to the Grand Trunk Junction Railway Company to construct and maintain a double track railway on and across the Western Avenue boulevard, in the Town of Lake, Cook County, Illinois, in the manner and subject to the restrictions following, to-wit:

The north rail of the said tracks shall be laid parallel to and not more than one hundred (100) feet south of the south line of Forty-ninth street, as the same crosses said boulevard, and the south rail of said tracks shall be laid parallel to and not more than twenty-two (22) feet south of said north rail.

The said tracks shall be laid and constructed under the direction of the South Park Commissioners, and said railway company shall plank and keep in constant

repair the spaces between said tracks to the full width of said boulevard.

Sec. 2. The said railway company and its successors shall, whenever so directed by said South Park Commissioners, keep and maintain a flagman at such crossing of said boulevard, and use and maintain such other means in use by railway companies, as shall from time to time be directed by said South Park Commissioners to insure the safety of persons using said boulevard, and at no time and under no circumstances shall said railway company permit any of its cars, locomotives, or any other obstacle, to stand upon said tracks crossing said boulevard, to the obstruction of said boulevard or any part thereof.

Sec. 3. Whenever so directed by said South Park Commissioners in compliance with any general order providing for the construction of viaducts over the boulevards, under the control of said South Park Commissioners, in any particular district, the said railway company and its successors shall construct a viaduct over said boulevard and railway crossing in the manner directed by said South Park Commissioners, and any failure to so construct such viaduct shall avoid and render null the permission hereby granted to cross said boulevard.

Sec. 4. The said railway company shall at all times hereafter comply with all general or special ordinances of said South Park Commissioners, passed, or to be passed, concerning the use and occupancy of streets and boulevards, and the running and operating of cars thereon or across the same by railway companies, so far as the same relate to the privilege hereby granted,

and such compliance is made a condition of the granting and continuance of the privilege hereby granted.

Sec. 5. The permission and authority hereby granted are upon the further express condition that the said railway company shall, and will forever, indemnify and save harmless the said South Park Commissioners against, and from any and all, legal damages, judgments, decrees and costs, and expenses of the same, which may be recovered or obtained against said South Park Commissioners for or by reason of the granting of such privileges and authority, or for or by reason of or growing out of or resulting from, the passage of this ordinance, or any matter or thing connected therewith or with the exercise by said company of the privileges hereby granted, or from any act or acts of said company under or by virtue of the provisions of this ordinance.

Sec. 6. This ordinance shall take effect and be in force from and after its acceptance, in writing, duly signed by the said Grand Trunk Junction Railway Company.

By which said acceptance the said company shall agree to comply with the terms and conditions of said ordinance, and upon a breach of any of the terms and conditions herein named, it shall forfeit all the rights conferred hereby, after reasonable notice in writing by said South Park Commissioners of their election to have said rights forfeited.

HYDE PARK GAS COMPANY.

RESOLUTION GIVING PERMISSION TO HYDE PARK GAS COMPANY TO LAY MAIN PIPE ACROSS MIDWAY PLAISANCE. [PASSED JUNE 10TH, 1891.]

Resolved, That subject to the conditions hereinafter expressed, permission is hereby given by the South Park Commissioners to the Hyde Park Gas Company to lay its main pipe across the Midway Plaisance, at its intersection with Cottage Grove avenue upon these conditions, that is to say:

First. After laying the pipe the trench shall be well puddled when being back filled and the surface left in as good condition as before opening.

Second. The pipe shall be laid in such a manner as not to entirely obstruct the 60th street crossing of Cottage Grove avenue at any time, a good safe crossing being maintained.

Third. The usual regulations in all cases where openings are made in the streets as to damages, barricades and signals shall apply.

Fourth. The Hyde Park Gas Co. hereby agree that they will alter the location of their pipes, or entirely remove them from across the Midway Plaisance, should the improvements made or to be made, therein require in the judgment of the South Park Commissioners, such alteration or removal, and immediately upon the order of the South Park Commissioners, and at no expense to the said Commissioners.

JAPANESE BUILDINGS IN JACKSON PARK.

LETTER READ AT A MEETING OF THE BOARD ON FEBRUARY 19, 1892.

The following letter was laid before the Board and read from the Japanese Imperial Commission of the Columbian Exposition, viz.:

Imperial Japanese Commission for the Columbian Exposition, 1893, 907 Chamber of Commerce, Chicago, Illinois, Feb. 11, 1892.

To the South Park Commissioners.

Gentlemen:

It is my happy privilege to say to you in behalf of the president of the Imperial Japanese Commission that our government proposes to have a Historical Building erected and a Landscape Garden laid out worthy of Japan in the Exposition Ground of the World Fair of 1893.

It is the intention of our government that the building together with the garden shall be presented to Chicago as a gift at the termination of the Exposition, not only as a souvenir of the sincere friendship existing so long between the United States and our Empire, but with the hope that the building and garden, which will be of quite Oriental Style, may become a source of pleasure to the citizens of your great Garden City, which we consider is, and must remain, the center of Western Civilization.

Upon this presentation we deem it desirable to place before you certain conditions for your acceptance, namely:

First. That the building and garden shall remain

permanently at the place of erection and laying out, and be maintained in good condition by your Commissioners.

Second. That in at least one of the rooms of the building some Japanese works of art will be on exhibition for the public view.

I need hardly say that it will be on a rare occasion that the building will require reparation, as it will be built of most durable material; the roof to be covered with tiles peculiar to Japan, in proof of this, the original after which this is to be modeled, has stood more than nine hundred years, and as to the garden, its maintenance will require no more attention than your own garden.

In connection with this matter, I may mention that I have applied to the Exposition Authority for the site of forty thousand square feet for our building and garden, to be given us, i. e., Wooded Garden (Island), and the matter of your favorable determination is earnestly awaited.

I remain, gentlemen,
Yours very respectfully,
(Signed) S. TEGIMA,
Japanese Commission.

Whereupon it was

Resolved, That the terms of the proposition be accepted and that the following letter be transmitted to the president of the Japanese Commission of the Columbian Exposition, viz.:

To the President of the Imperial Japanese Commission
for the Columbian Exposition.

Dear Sir:

The South Park Commissioners acknowledge with

pleasure the munificent proposition of the Government of Japan to leave as a monument of its good will the buildings and their environment which it proposes to erect at the World's Columbian Exposition to be held in Jackson Park. The skill and grace of the artists and artisans of Japan are world famous and the Park Commissioners recognize that the gracious and kindly gift will be a very great, and since it is the pleasure of the Japanese Government, may well be a permanent attraction for the residents and the visitors of the great city of the New World. The proposed construction being of a single story will fit appropriately into a beautiful landscape and being wholly free from the obtrusive character which is to be avoided in landscape architecture will adorn, not dominate, a large pleasure ground, the chief object of which is to approximate nature and avoid appearances of constructive art.

The Commissioners will accept with gratitude the munificent proposition of the Japanese Government and will feel delight in the performance of the implied obligation to maintain buildings and grounds in perfect order.

In the name of the people of Chicago who find recreation in the parks, the Commissioners offer their grateful acknowledgments to the government of Japan for its generous proposition.

(Signed) JOSEPH DONNERSBERGER,
President South Park Commissioners.

COMMUNICATION READ AT A MEETING OF THE BOARD ON DECEMBER 13TH, 1893.

The following communication from the Imperial Japanese Commissioner for the World's Columbian Exposition was read:

In compliance with the proposal of the Imperial Japanese Commission, dated February 11, 1892, offering as a gift the "Hooden" and its contents, the national exhibits of Japan, as per list herewith, to the City of Chicago, on condition that the same shall be preserved permanently after the World's Columbian Exposition is closed; and the acceptance of this offer by the South Park Commission, representing the City of Chicago, on February 19, 1892, I hereby, in the name of the Empire of Japan, and by the authority conferred upon me by its government, most solemnly convey and transfer the property and all rights of and in the said exhibits containing in the list above alluded, to the South Park Commission of Chicago, State of Illinois, the United States of America.

(Signed) NOBUAKARA YAMATAKA.

LIFE SAVING STATION.

ORDINANCE AUTHORIZING THE MAINTENANCE OF A LIFE SAVING STATION IN JACKSON PARK. [PASSED JUNE 8TH, 1892.]

Whereas, By an ordinance passed by the South Park Commissioners on the nineteenth day of September, 1890, permission and authority were given to the World's Columbian Exposition, a corporation, to use Jackson Park and Midway Plaisance for the purposes of the World's Columbian Exposition upon the terms and conditions in said ordinance set forth, which said ordinance further provided that the said Park and Plaisance should be restored to the possession of the South Park Commissioners on the first day of January, 1894, and that all buildings and constructions should be removed from said Park and Midway Plaisance prior to the first day of May, 1895; and

Whereas, the United States of America propose to make an exhibit at said Exposition, and as a part thereof propose to erect in Jackson Park a Life Saving Station; and

Whereas, the United States of America have applied to the South Park Commissioners for permission to maintain and operate said Life Saving Station in said Jackson Park after the possession of said park shall have been restored to the said Park Commissioners;

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. Permission and authority are hereby granted to the United States of America to retain and to maintain and operate said Life Saving Station and its appurtenances, after the possession of said Jackson Park shall have been restored to the South Park Commissioners, upon that part of Jackson Park described as follows: Commencing at a point 2,452 feet N. and 2,332 ft. E. of the S. W. corner of section 13-38-14, which point is at the intersection of square lines "W" and "50" as shown on South Park Improvement Plans of Jackson Park, thence west 200 ft. to the water line of the artificial lake, thence northeasterly following the water line of said artificial lake to a point 270 ft. north of the place of beginning, thence south to the place of beginning, containing about 47,000 square feet.

Sec. 2. Persons in the employ of the United States of America at or in connection with said Life Saving Station shall have full right of egress and ingress and shall have the right to transport necessary material and supplies thereto over Jackson Park under such rules and regulations as may be prescribed by the South Park Commissioners.

Sec. 3. The said piece of land above described shall

not be enclosed with any fence, wall or hedge, nor shall the lines thereof be indicated in any manner except as permitted by the South Park Commissioners.

Sec. 4. The United States of America shall maintain the above described piece of ground in such manner that it will, as nearly as possible, appear a part of the surrounding park.

Sec. 5. No intoxicating liquors shall be sold on said piece of land.

Sec. 6. No bituminous coal shall be used for heating or other purposes at said Life Saving Station, but only such combustibles shall be used as will produce the least smoke.

Sec. 7. This ordinance shall be accepted in writing by the United States of America by its proper officer within sixty days after its passage, otherwise it shall be null and void.

LAKE SHORE & MICHIGAN SOUTHERN RAILWAY COMPANY AND CHICAGO, ROCK ISLAND & PACIFIC RAILWAY COMPANY.

ORDINANCE PERMITTING THE ELEVATION OF TRACKS OVER GARFIELD BOULEVARD. [PASSED MAY 13TH, 1895; AMENDED JUNE 10TH, 1895.]

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. That consent, authority and permission are hereby granted to the Lake Shore & Michigan Southern Railway Company, and to the Chicago, Rock Island & Pacific Railway Company, to elevate the plane of their railway tracks across Garfield boulevard in accordance with the provisions and upon the conditions in this ordinance set forth.

Sec. 2. The structure to be erected over and across

the said boulevard shall consist of three spans. The northerly span shall be supported at its north end upon a stone abutment constructed north of the north line of said boulevard, and at its south end upon an iron column located a short distance south of the south line of the north driveway of said boulevard, as hereinafter provided for. The southerly span shall be supported at its south end upon a stone abutment constructed south of the south line of said boulevard, and at its north end upon an iron column located a short distance north of the north line of the south driveway of said boulevard; and the middle span shall be supported respectively upon the south and north supports of the northerly and southerly spans.

Sec. 3. The surface of the boulevard shall pass beneath the said elevated structure by means of a subway under said tracks to be constructed by said railway companies, wholly at their own expense, which subway shall be so constructed that a minimum clearance or head-room of not less than thirteen and one-half feet shall be maintained at all points between the roadways in said subway and the overhead structure, and so that the top of the said roadways shall be fifteen and three-tenths feet above the plane commonly known and called "City Datum" in the City of Chicago under the entire distance of said elevated structure; and the sidewalks in said subway shall be so constructed that a minimum clearance or head-room shall be maintained at all points of not less than eight feet and ten inches between the highest point of said sidewalks and the lowest point of said overhead structure. The floor of the said elevated structure across said boulevard shall be fabricated in iron or steel, and shall be of the charac-

ter technically designated and known as "solid construction," so as to be tightly floored over its entire length and width.

Sec. 4. Said railway companies shall construct two roadways in Garfield boulevard, each forty feet in width, from a point two hundred and twenty-five (225) feet west of their right of way to a point two hundred and fifty (250) feet east of their right of way, and so graded as to pass under the elevated structure of said railways with the minimum clearance as provided in the foregoing section. The north line of the north driveway shall be placed fifteen feet south of the north line of the boulevard, and the south line of the south driveway shall be placed fifteen feet north of the south line of the boulevard. Except where there is a stone curb wall, said driveways shall be constructed with combined concrete curb and gutter on each side thereof. Said driveways shall be paved or macadamized with a macadam pavement not less than nine inches in thickness, similar to the pavement of the roadways of Garfield boulevard immediately east and west thereof. The space between said driveways, to be constructed as aforesaid, shall be properly graded up for a planting space, except under the said elevated structure, and there, such space shall be paved with a vitrified brick pavement upon a grade as nearly level with the planting space of said boulevard, on either side of said elevated structure, as practicable.

The said railway companies shall also construct and maintain an outlet sewer with such number of catch basins and manholes as shall be directed by the superintendent of the South Park Commissioners, for the purpose of draining the said subway, and which sewer,

catch basins and manholes shall be so constructed and maintained as to fully drain the same, and run from thence and empty into the sewer now constructed at State street.

The sidewalks and all necessary crosswalks shall be restored or constructed by said railway companies so as to conform to the provisions of this ordinance, and so as to meet the approval of the superintendent of the South Park Commissioners. The said railway companies shall do all the work and furnish all the additional material required in order to carry out the provisions of this section, wholly at their own expense.

Sec. 5. The streets and alleys which open into or intersect Garfield boulevard where the said approaches are to be constructed, shall be properly graded down into the boulevard at the expense of said railway companies and repaved where they are now paved.

Sec. 6. If in the construction of said subway, or the approaches thereto, it shall become necessary to change the location of any water pipe, sewer, or electrical conduit, the same may be deflected from the position in which they are found and placed in brick conduits especially constructed for that purpose and carried entirely around said subway on either side thereof, or the same may be lowered, but all of said work shall be done by and at the entire expense of the said railroad companies.

Sec. 7. The plans and specifications for the said elevated structure, and for the columns and stone masonry supporting the same, and for the construction of the said subway, and the depression and construction of the driveways, pavement and sidewalks, as well as the construction of said sewer, and the changing of the

said water pipes, sewer and electrical system, as well as all other work to be done in accordance with the provisions of this ordinance, shall be submitted to and approved by the South Park Commissioners, or by their superintendent, before any work shall be done under this ordinance, and such plans, when so approved, shall be taken to constitute a part of this ordinance, and all of the work upon or in connection with any of the matters or things provided to be done under this ordinance shall be done and performed subject to the inspection and approval of the superintendent of the South Park Commissioners but wholly at the expense of said railway companies.

Sec. 8. Permission and authority are hereby given to said railway companies, whenever the same shall be necessary in carrying on the work of elevating their railway tracks, as herein authorized, to temporarily obstruct said boulevard, or part thereof, in such manner and for such length of time as may be approved by the superintendent of the South Park Commissioners, and the said railway companies are hereby authorized in the prosecution of said work to erect and maintain a temporary structure or structures across said boulevard which shall be necessary or convenient to enable them to prepare for, or to erect, the permanent elevated structure herein provided for, subject to like approval of the superintendent of the South Park Commissioners, and if, at any time, the said work shall not be prosecuted with reasonable rapidity or in a proper manner, then the South Park Commissioners reserve the right to remove any obstructions, and to stop the said work and to take full possession and control of that portion of said Garfield boulevard, notwithstanding this ordi-

nance and any permit which may have been issued thereunder, and to place such boulevard in reasonably good condition again, and in such case the said railway companies, jointly and severally, agree to refund to the South Park Commissioners any and all expenses which said South Park Commissioners may be at in doing such work.

Sec. 9. The said railway companies, jointly and severally, and their respective lessees, successors and assigns, by the acceptance of this ordinance respectively agree that they and each of them will forever indemnify and save harmless the said the South Park Commissioners from any and all damages, judgments, decrees, costs, attorney's fees and expenses for which the said the South Park Commissioners may be liable, or which may be recovered by reason of the passage of this ordinance, or the construction, maintenance and use of the said elevated structure, or of any telegraph or signal device placed thereon by said railway companies, or either of them, or by reason of the construction, maintenance or operation of said elevated railways (or the depression of the said boulevard under said elevated structure), or in any way resulting from the passage of this ordinance, or from the exercise by said railway companies, or either of them, of any of the powers or privileges herein in this ordinance granted, or acts required to be performed; and if the South Park Commissioners shall be required to defend any suits brought on account of the passage of this ordinance, or any of the acts done by the said railway companies, or either of them, under the same, then the said railway companies, jointly and severally, agree to pay a

reasonable amount for attorney's fees incurred by the South Park Commissioners in defending the same.

Sec. 10. The said railway companies, jointly and severally, agree by the acceptance of this ordinance to forever light the said subway heretofore authorized to be constructed, in such manner as may be at any time directed by the South Park Commissioners, by order or resolution therefor.

Sec. 11. This ordinance shall take effect and be in force as soon as the said Lake Shore & Michigan Southern Railway Company and the Chicago, Rock Island & Pacific Railway Company, shall each file their formal acceptance with the secretary of the South Park Commissioners, provided, however, that if said acceptance shall not be filed with the said secretary, as aforesaid, within sixty days from the passage of this ordinance, then this ordinance shall be void and of no effect.

MUTUAL FUEL GAS COMPANY.

RESOLUTION GRANTING PERMISSION TO THE MUTUAL FUEL GAS COMPANY TO LAY PIPES ACROSS MIDWAY PLAISANCE. [PASSED APRIL 9, 1890.]

Resolved, That the Mutual Fuel Gas Company have permission to cross the Midway Plaisance at its intersection with Cottage Grove avenue subject to the following conditions, viz.:

First. After laying the pipe the trench shall be well puddled when being back filled, and the surface left in as good condition as before opening.

Second. The pipe shall be laid in such a manner as not to entirely obstruct the 60th street crossing of Cottage Grove avenue at any time, a good safe crossing being maintained.

Third. The usual regulations in all cases where openings are made in the streets as to damages, barricades and signals shall apply.

Fourth. The Mutual Fuel Gas Company hereby agree that they will alter the location of their pipes, or entirely remove them from across the Midway Plaisance, should the improvements made or to be made therein require, in the judgment of the South Park Commissioners, such alteration or removal, and immediately upon the order of the South Park Commissioners, and at no expense to the said Commissioners.

PENNSYLVANIA COMPANY.

ORDINANCE GRANTING PERMISSION TO ELEVATE THE TRACKS OF THE PITTSBURG, FORT WAYNE & CHICAGO RAILWAY COMPANY ACROSS GARFIELD BOULEVARD. [PASSED NOVEMBER 27, 1896.]

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. That consent, authority and permission are hereby granted to the Pennsylvania Company, operating the Pittsburgh, Fort Wayne & Chicago Railway to elevate the plane of its railway tracks across Garfield boulevard in accordance with the provisions and upon the conditions in this ordinance set forth.

Sec. 2. The structure to be erected over and across the said boulevard shall consist of three spans. The northerly span shall be supported at its north end upon a stone abutment constructed north of the north line of the said boulevard, and at its south end upon iron columns located a short distance south of the south line of the north driveway of said boulevard, as hereinafter provided for. The southerly span shall be supported at its south end upon a stone abutment constructed south of the south line of said boulevard, and

at its north end upon iron columns located a short distance north of the north line of the south driveway of said boulevard. The middle span shall be supported respectively upon the north and south supports of the northerly and southerly spans.

Sec. 3. The surface of the boulevard shall pass beneath the said elevated structure by means of a subway under said tracks to be constructed by said company, wholly at its own expense, which subway shall be so constructed that a minimum clearance or head room of nor less than thirteen and one-half feet shall be maintained at all points between the roadways in said subway and the overhead structure, and so that the top of the said roadways shall be 12½ feet above the plane commonly called "City Datum" in the City of Chicago, under the entire distance of said elevated structure; and the sidewalks in said subway shall be so constructed that a minimum clearance, or headroom, shall be maintained at all points of not less than eight feet and ten inches between the highest point of said sidewalks and the lowest point of said overhead structure. The floor of the said elevated structure across said boulevard shall be fabricated in iron or steel, and shall be of the character technically designated and known as "solid construction" so as to be tightly floored over its entire length and width.

Sec. 4. Said company shall construct two roadways in Garfield boulevard, each forty feet in width, from a point two hundred and seventy (270) feet west of their right of way to a point two hundred and seventy (270) feet east of their right of way, and so graded as to pass under the elevated structure of said railway with the minimum clearance as provided in the foregoing sec-

tion. The north line of the north driveway shall be placed fifteen feet south of the north line of the boulevard, and the south line of the south driveway shall be placed fifteen feet north of the south line of the boulevard. Except where there is a stone curb wall, said driveway shall be constructed with combined concrete curb and gutter on each side thereof. Said driveways shall be paved or macadamized with a macadam pavement not less than nine inches in thickness—similar to the pavement of the roadways of Garfield boulevard immediately east and west thereof. The space between said driveways to be constructed as aforesaid, shall be properly graded up for a planting space, except under the said elevated structure, and there such space shall be paved with a vitrified brick pavement upon a grade as nearly level with the planting space of said boulevard on either side of said elevated structure as practicable.

The said company shall also construct and maintain an outlet sewer, with such number of catch basins and manholes as shall be directed by the Superintendent of the South Park Commissioners, for the purpose of draining the said subway, and which sewer, catch-basins and manholes shall be so constructed and maintained as to fully drain the same into some city sewer designated by the Park Commissioners and in a manner satisfactory to said South Park Commissioners.

The sidewalks and all necessary cross walks shall be restored or constructed by said company so as to conform to the provisions of this ordinance, and so as to meet the approval of the Superintendent of the South Park Commissioners. The said company shall do all the work and furnish all the additional material

required in order to carry out the provisions of this section, wholly at its own expense.

Sec. 5. The streets and alleys which open into or intersect Garfield boulevard where the said approaches are to be constructed shall be properly graded down into the boulevard at the expense of said company, and repaved where they are now paved.

Sec. 6. If in the construction of said subway, or the aproaches thereto, it shall become necessary to change the location of any water pipe, sewer, or electrical conduit, the same may be deflected from the position in which they are found and placed in brick conduits especially constructed for that purpose and carried entirely around said subways on either side thereof, or the same may be lowered; but all of said work shall be done by and at the entire expense of the said company.

Sec. 7. The plans and specifications for the said elevated structure, and for the columns and stone masonry supporting the same, and for the construction of the said subway, and the depression and construction of the driveways, pavement and sidewalks, as well as the construction of said sewer, and the changing of said water pipes, sewer and electrical system, as well as all other work to be done in accordance with the provisions of this ordinance, shall be submitted to and approved by the South Park Commissioners, or by their Superintendent, before any work shall be done under this ordinance, and such plans when so approved shall be taken to constitute a part of this ordinance, and all of the work upon or in connection with any of the matters or things provided to be done under this ordinance shall be done and performed subject to the

inspection and approval of the Superintendent of the South Park Commissioners, but wholly at the expense of said company.

Sec. 8. Permission and authority are hereby given to said company, whenever the same shall be necessary in carrying on the work of elevating its tracks, as herein authorized, to temporarily obstruct said boulevard, or part thereof, in such manner and for such length of time as may be approved by the Superintendent of the South Park Commissioners; and the said company is hereby authorized in the prosecution of said work to erect and maintain a temporary structure or structures across said boulevard which shall be necessary or convenient to enable it to prepare for or to erect the permanent elevated structure herein provided for subject to like approval of the Superintendent of the South Park Commissioners; and, if at any time, the said work shall not be prosecuted with reasonable rapidity, or in proper manner, then the South Park Commissioners reserve the right to remove any obstruction and to stop the said work and to take full possession and control of that portion of said Garfield boulevard, notwithstanding this ordinance and any permit which may have been issued thereunder, and to place such boulevard in reasonable condition again; and in such case the said company agrees to refund to the South Park Commissioners any and all expenses which said South Park Commissioners may be at in doing such work.

Sec. 9. The said company, and its successors and assigns, by the acceptance of this ordinance, agrees that it, and each of them, will forever indemnify and save harmless the said South Park Commissioners

from any and all damages, judgments, decrees and costs, attorneys' fees and expenses for which the said South Park Commissioners may be liable, or which may be recovered by reason of the passage of this ordinance, or the construction, maintenance and use of said elevated structure, or of any telegraph or signal device placed thereon by said company, or by reason of the construction, maintenance, or operation of said elevated railway, or the depression of the said boulevard under said elevated structure, or in any way resulting from the passage of this ordinance, or from the exercise by said company of any of the powers or privileges herein in this ordinance granted, or acts required to be performed; and if the South Park Commissioners shall be required to defend any suits brought on account of the passage of this ordinance, or any of the acts done by said company under the same, then said company agrees to pay a reasonable amount for attorneys' fees incurred by the South Park Commissioners in defending the same.

Sec. 10. The said railway company agrees by the acceptance of this ordinance to forever light the said subway, heretofore authorized to be constructed, in such manner as may be at any time directed by the South Park Commissioners by order or resolution therefor.

Sec. 11. It is hereby expressly provided that unless the work herein provided to be done by the said company shall be completely finished on or before two years from the passage of this ordinance, then the consent and authority hereby granted shall be null and void and of no effect.

Sec. 12. This ordinance shall take effect and be in

force as soon as the Pennsylvania Company, operating the Pittsburgh, Fort Wayne & Chicago Railway, shall file its formal acceptance with the Secretary of the South Park Commissioners; provided, however, that if said acceptance shall not be filed with the said Secretary, as aforesaid, within sixty days from the passage of this ordinance, then this ordinance shall be void and of no effect.

PITTSBURG, CINCINNATI, CHICAGO & ST. LOUIS RAILWAY COMPANY.

ORDINANCE GRANTING THE RIGHT TO THE PITTSBURG, CINCINNATI, CHICAGO AND ST. LOUIS RAILWAY COMPANY TO LAY TWO ADDITIONAL MAIN TRACKS ACROSS WESTERN AVENUE BOULEVARD. [PASSED OCTOBER 12, 1892.]

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. That permission and authority be and the same are hereby granted to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company to lay down, maintain and operate two main tracks across the Western Avenue boulevard in the City of Chicago, Cook County, Illinois, in addition to the two main tracks heretofore laid down, maintained and operated across said boulevard by said railway company, in the manner and subject to the provisions and restrictions hereinafter contained.

Sec. 2. The said four tracks as well as the two tracks of the Chicago & Northern Pacific Railroad Company authorized to be laid by ordinance of the South Park Commissioners adopted November 2, 1891, and the present tracks of the Union Stock Yards and Transit Co. shall be laid, maintained and operated across

said boulevard at the present grade of said railway company in conformity with the plat of said tracks, which plat is incorporated herewith and made part of this ordinance; the scale, side track and switches of said railway company now in said boulevard shall be removed.

Sec. 3. Said Railway Company shall construct its tracks across said Boulevard with an iron guard rail on the inside of each of the rails thereof, and shall plank said crossings and keep the same in repair to the full width of said Boulevard, all under the direction of the Superintendent of said South Park Commissioners; and said Railway Company shall not change the grade of its tracks across said Boulevard without the consent of said South Park Commissioners; and said Railway Company shall at its own cost and expense furnish and deliver suitable material for constructing, repairing and maintaining the approach to said tracks, including both the driveways and planting spaces of said Boulevard, at such places and at such times as shall be directed by said South Park Commissioners, and all alterations made necessary in said Boulevard to make the driveways and planting spaces thereof conform to the grade of said railway tracks, as herein specified, shall be made at the sole cost and expense of said Railway Company and under the supervision and direction of the Superintendent of said South Park Commissioners; and the said Railway Company shall also pay any and all expense incurred in the removal of trees, made necessary by the construction of said crossing, and the full value of such trees as shall be destroyed thereby.

Sec. 4. The said Railway Company shall, whenever

so directed by the South Park Commissioners, keep and maintain a flagman at such crossing of said boulevard, or shall construct and maintain gates thereat as shall be required by the South Park Commissioners to insure the safety of persons using said Boulevard.

Sec. 5. The said Railway Company shall at no times and under no circumstances permit any of its cars or locomotives to stand upon said tracks, or any of them, to the obstruction of travel upon said Boulevard or any part thereof.

Sec. 6. The permission, authority and privileges hereby granted are upon the further express condition that the said Railway Company, whenever so directed by the South Park Commissioners in compliance with any general order in regard to the construction of viaducts and the lowering of the tracks crossing the Boulevards under the control of said South Park Commissioners in any particular district, shall pay their just and equitable proportion of the cost of constructing and maintaining a viaduct over said Boulevard and railway crossing, and shall lower the said tracks in the manner required by said South Park Commissioners.

Sec. 7. The privileges hereby granted are upon the further express condition that the said Railway Company shall at all times comply with and be subject to all general and special ordinances of said South Park Commissioners now in force, or which may hereafter be passed concerning the use and occupation of said Boulevard and the running and operating of cars thereon or across the same by railway companies, or in regard to the elevation of railroad tracks crossing said

Boulevard, so far as the same apply or relate to the privileges hereby granted.

Sec. 8. The permission and authority hereby granted are upon the further express condition that the said Railway Company shall forever indemnify and save harmless the said South Park Commissioners from any and all legal action, damages, decrees, and the costs and expenses of the same which may be recovered or obtained against the South Park Commissioners for or by reason of or growing out of, or resulting from the passage of this ordinance, or any matter or thing connected therewith, or by the exercise by the company of the privileges hereby granted, or from any act or acts of said company under or by virtue of this ordinance.

Sec. 9. Should the said company at any time fail to comply with the conditions and provisions of this ordinance, or any of them, or with the general ordinances of the South Park Commissioners, the said South Park Commissioners may order the said tracks to be taken up and removed by said company, and on its failure so to do within ten days after notice of such order, may cause the same to be taken up and removed at the expense of the said company.

Sec. 10. All the provisions of this ordinance shall be equally binding upon the said railway company, its successors, assigns, and lessees.

Sec. 11. This ordinance shall be in force only from and after the written acceptance of the same and its provisions by the said Pittsburg, Cincinnati, Chicago and St. Louis Railway Company, duly signed and under its corporate seal, shall be filed with the Secretary of the South Park Commissioners. Unless such acceptance shall be so filed within thirty days of the time

of the passage hereof, this ordinance shall be null and void.

UNIVERSAL GAS COMPANY.

ORDINANCE GIVING PERMISSION TO THE UNIVERSAL GAS COMPANY TO LAY AN 8 INCH GAS MAIN IN THE EAST SIDE OF COTTAGE GROVE AVENUE FROM A POINT 100 FEET NORTH OF THE CENTER LINE OF 51ST STREET TO A POINT 350 FEET SOUTH THEREOF, AND IN THE EAST SIDE OF COTTAGE GROVE AVENUE ACROSS THE MIDWAY PLAISANCE. [PASSED NOVEMBER 14, 1894.]

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. That in consideration of the undertaking by the Universal Gas Company to comply with the conditions of this ordinance, permission is hereby given to said Universal Gas Company to lay an 8-inch gas main in the east side of Cottage Grove Avenue from a point 100 feet north of the center line of Fifty-first Street to a point 350 feet south thereof, and in the east side of Cottage Grove Avenue across the Midway Plaisance.

Sec. 2. The gas main shall be placed to the lines and grades given by the South Park Commissioners.

Sec. 3. The work of laying the gas main shall be done when and where, and in such manner as shall be specified by the Park Commissioners in the permit issued to said company, and said company shall deposit with the Park Commissioners, before the issuing of such permit, an amount satisfactory to said Park Commissioners to cover the expense of repairing any damage which may be done in the laying of said gas main.

Sec. 4. The Park Commissioners shall replace all road material that is displaced by the opening of the trench, and the Universal Gas Company shall pay to

the Park Commissioners all the expense and costs thereof.

Sec. 5. If at any time the conditions and restrictions imposed by the Park Commissioners are not complied with, or should the Park Commissioners in making further improvements in these localities, deem said gas main an obstruction, or think it advisable to have same relaid to other lines, or entirely removed from these streets, then said Universal Gas Company agrees to remove or relay said gas main as ordered by the South Park Commissioners, and to replace the roadway and boulevards in perfect order and condition as they now are, all at the expense of said Universal Gas Company, and to comply with the orders and conditions of said Park Commissioners in relation thereto.

Sec. 6. That the permission hereby granted is to be temporary and subject to such further restrictions as said Park Commissioners, or their successors, may, from time to time, deem necessary, and also subject to be wholly revoked in the discretion of the Park Commissioners.

Sec. 7. This ordinance shall be in force from and after its acceptance by said Universal Gas Company, but unless accepted within thirty days from the passage thereof this ordinance shall be null and void.

WORLD'S COLUMBIAN EXPOSITION.

ORDINANCE TO ALLOW THE USE OF JACKSON PARK AND THE MIDWAY PLAISANCE FOR THE PURPOSES OF THE WORLD'S COLUMBIAN EXPOSITION. [PASSED SEPTEMBER 19, 1890.]

Whereas, At Act of the General Assembly of the State of Illinois entitled, "An Act in relation to the

World's Columbian Exposition," provides that in case the site or sites for the holding of the World's Columbian Exposition, as finally located and fixed by the authorities in charge thereof, shall include any part of any public park which is or may be under the control and management of the Park Commissioners, then, and in that event, it shall be competent, and express authority for such purpose is thereby granted to the Park Commissioners having the control and management of such public park, to allow the use thereof, or any part thereof, for the purposes of the World's Columbian Exposition, upon such terms and conditions as may be agreed upon between the said Park Commissioners and the authorities having the management of said exposition; and

Whereas, Said Act further provides that the said Park Commissioners in charge of the public grounds, or any part thereof designated and selected as the site of the whole or any part of said exposition, shall have authority, in their discretion, to issue and sell bonds to an amount not exceeding $500,000, the proceeds of said bonds to be applied to the improving of the grounds under their control selected as aforesaid for said exposition; said power, however, not to be exercised until the proposition to issue such bonds shall have been submitted to the vote of the legal voters of such park district and receive a majority of the votes cast at such election; and

Whereas, The World's Columbian Exposition, a corporation organized under the laws of the State of Illinois for the purpose of said exposition, have offered to the World's Columbian Commission, appointed under an Act of Congress of the United States, Jackson Park

and the Midway Plaisance as the site for a part of the said exposition, and the said Commission has accepted the same for the purposes of said exposition; and

Whereas, A proposition to issue bonds to an amount not exceeding $500,000, upon the terms and in the manner and for the purposes specified in said Act of the General Assembly of the State of Illinois, is to be submitted to the legal voters of the park district comprising the towns of South Chicago, Hyde Park and Lake:

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. Permission and authority are hereby given to the World's Columbian Exposition, a corporation, to use Jackson Park and the Midway Plaisance for the purposes of the World's Columbian Exposition upon the terms and conditions hereinafter set forth.

Sec. 2. The said corporation, the World's Columbian Exposition, at any time after the acceptance of this ordinance and the approval of the first bond to be given by said corporation as hereinafter set forth, shall have the right to enter upon said premises and take possession of such portions thereof as may be necessary in constructing the buildings and making other preparations for such exposition, and may make such changes in and such use of said premises, or any part thereof, as may be necessary for the purposes of such exposition.

Sec. 3. The said corporation, the World's Columbian Exposition, shall have the right to enclose Jackson Park and the Midway Plaisance, or either of them, by a fence or wall, provided, however, that the entrances to Jackson Park and the roadways across the Midway Plaisance shall not be closed prior to the first day of October, 1892. The said corporation, the World's Co-

lumbian Exposition, may take all necessary measures to prevent the encroachment of persons and vehicles upon such portions of said Jackson Park and the Midway Plaisance as may be in actual use in the preparation for such exposition.

Sec. 4. Such parts of Jackson Park and the Midway Plaisance as shall not be in actual use for the construction of buildings and other preparations for said exposition shall be under the care and supervision of, and shall be maintained by, the said South Park Commissioners until the first day of October, 1892, but the said South Park Commissioners shall not be responsible for the care, safety or maintenance of any buildings, work or construction of any kind, or any property of the World's Columbian Exposition, or of any other persons, person or corporation upon said premises.

Sec. 5. On the first day of October, 1892, the South Park Commissioners shall turn over to the said corporation, the World's Columbian Exposition, the entire possession, control and management of Jackson Park and the Midway Plaisance, and thereafter until the first day of January, 1894, the said corporation, the World's Columbian Exposition, shall have the full control of the same for the purposes of the said exposition and shall make all rules and regulations in regard to the entrance to said premises, provided, however, that until the first day of April, 1893, the South Park Commissioners, their officers, agents and employes, shall at all times have free access to said Jackson Park and Midway Plaisance for the construction of the Lake Shore Improvement and of such other work as the South Park Commissioners may desire to prosecute. From the first day of October, 1892, said World's Co-

lumbian Exposition shall also pay all the cost of the care and maintenance thereof, and the South Park Commissioners shall be at no expense whatsoever in regard thereto.

Sec. 6. On the first day of January, 1894, the said park and plaisance shall be restored to the possession of the South Park Commissioners, except such parts thereof as shall be occupied by the buildings or other constructions of the said World's Columbian Exposition; but the said corporation, the World's Columbian Exposition, shall have the right to remove all such buildings and constructions from said premises, provided that all of such buildings and constructions which shall be upon the north eighty-four acres of Jackson Park, being the present fully improved portion thereof, shall be removed prior to the first day of May, 1894, and all the buildings and constructions upon the other portions of said park and upon said Midway Plaisance shall be removed prior to the first day of May, 1895, and all such buildings and constructions which shall not be removed within the times above limited shall become the property of the South Park Commissioners.

Sec. 7. The use of said Jackson Park and Midway Plaisance is granted for the purposes of said exposition upon the further express condition that the said park and plaisance shall be used during the periods above mentioned only for the purposes of said exposition and subject to the foregoing terms and conditions, and also upon the further condition that the said park and plaisance shall be surrendered to the South Park Commissioners in as good a condition as they now are. An acceptance of this ordinance by the World's Colum-

bian Exposition shall constitute on its part an agreement to fully comply with all the terms and conditions of this ordinance.

Sec. 8. In case the proposition to issue bonds, as provided in said Act of the General Assembly of the State of Illinois, shall receive a majority of the votes cast at the election at which such proposition shall be submitted, the South Park Commissioners will exercise the power therein conferred, and issue bonds to the amount of $500,000.00, as in said Act provided, and from the proceeds of such bonds will expend the amount necessary to complete the Lake Shore improvement, which, it is estimated, will cost about $270,000.00, and will expend the balance thereof in the improvement of Jackson Park; making said improvements in consonance with the plans, and available for the purposes of the said exposition, as far as compatible with such improvements being of a permanent character, and of permanent benefit in the development of said park.

Sec. 9. This ordinance shall be accepted in writing by the said corporation, the World's Columbian Exposition, within thirty days after its passage; otherwise, it shall be null and void. The said corporation, the World's Columbian Exposition, shall also file a bond in the penal sum of $100,000.00, to be approved by the South Park Commissioners, said bond to be conditioned for the faithful performance of all the terms and conditions herein prescribed, and also to indemnify and save harmless the South Park Commissioners against all damages on account of the use of said grounds for the purposes of said exposition or the passage of this ordinance.

The said World's Columbian Exposition shall also, before the removal of any of its buildings or constructions placed upon Jackson Park or the Midway Plaisance, file with said South Park Commissioners an additional bond in the penal sum of one hundred thousand dollars, with good and sufficient sureties, conditioned for the faithful performance of all the terms and conditions herein prescribed; and also to indemnify and save harmless the South Park Commissioners against all damages on account of the use of said grounds for the purposes of said exposition or the passage of this ordinance.

ORDINANCE AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE TO ALLOW THE USE OF JACKSON PARK AND THE MIDWAY PLAISANCE FOR THE PURPOSES OF THE WORLD'S COLUMBIAN EXPOSITION." [PASSED APRIL 13, 1892.]

Whereas, The South Park Commissioners on the 19th day of September, A. D. 1890, passed an ordinance entitled "An ordinance to allow the use of Jackson Park and the Midway Plaisance for the purposes of the World's Columbian Exposition," which said ordinance provided among other things that the entrances to Jackson Park should not be closed prior to the first day of October, 1892, and that such parts of Jackson Park as should not be in actual use for the construction of buildings and other preparations for said exposition should be under the care and supervision of and should be maintained by the said South Park Commissioners until the first day of October, 1892.

And whereas, The World's Columbian Exposition has made application to the South Park Commissioners to enclose the whole of Jackson Park, claiming

that such enclosure is necessary, owing to the rapid advancement of the exposition work within the boundaries of said park, and to properly police the grounds.

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. Permission and authority are hereby given to the World's Columbian Exposition to entirely enclose Jackson Park and the entrances thereto; and the entire possession, control and management of said park shall be turned over to the said World's Columbian Exposition upon the acceptance of this ordinance. And the said World's Columbian Exposition shall in regard to said park after said acceptance have the same power and be subject to the same liabilities as are granted to and imposed upon them by section 5 of the said ordinance of which this is an amendment subject to the proviso contained in said section 5 of said ordinance.

Sec. 2. The said ordinance above mentioned allowing the use of Jackson Park and the Midway Plaisance for the purposes of the World's Columbian Exposition shall remain in full force and effect except so far as it is hereby amended by changing the date at which the said Jackson Park shall be entirely turned over to the control of the World's Columbian Exposition, from the first day of October, 1892, the day mentioned in said ordinance, to the time when this ordinance shall be accepted.

Sec. 3. This ordinance shall be void and of no effect unless accepted in writing by the said corporation, the World's Columbian Exposition, within ten days after its passage, and such acceptance shall constitute on the part of the World's Columbian Exposition an agreement to fully comply with all the terms and conditions

of this ordinance and of the ordinance of which this ordinance is an amendment except so far as hereby amended.

RESOLUTION CONCERNING THE CLAIMS OF THE COMMISSIONERS AGAINST THE WORLD'S COLUMBIAN EXPOSITION. [PASSED DECEMBER 13, 1893.]

Whereas, The South Park Commissioners have received from the Columbian Exposition through its secretary, H. O. Edmonds, the following:

Extract from the minutes of a meeting of the Board of Directors of the World's Columbian Exposition, held Friday, December 8th, 1893:

"Resolved, That the compromise offer of settlement of the South Park Commissioners, of all damages and claims against this corporation, connected with, or resulting from the occupancy of Jackson Park and Midway Plaisance, by the World's Columbian Exposition, under ordinance of said South Park Commissioners, be, and the same is hereby accepted; and for the purpose of concluding such settlement, the President is hereby authorized to transfer and deliver to said South Park Commissioners, by proper bill of sale, or other writing, all the buildings and other property of this exposition situate in Jackson Park or Midway Plaisance, and particularly described in a schedule of said property heretofore prepared and delivered said South Park Commissioners by the President of this corporation; also to pay said South Park Commissioners the sum of two hundred thousand dollars ($200,000), which said sum and delivery of property shall be in full payment, settlement and discharge of all liabilities and obligations of every kind and character resting upon this corpora-

tion, by reason of the occupancy of the above described Park and Plaisance, under the ordinance hereinbefore referred to; and the President is authorized and directed to accept such discharge quittance or receipt as may be necessary to effectuate the purpose of said settlement, together with the bond, in the penal sum of one hundred thousand dollars ($100,000) heretofore executed by this corporation to said South Park Commissioners; possession of all of said property, and every part thereof to be given said South Park Commissioners as soon as the exhibits now installed in said buildings shall be removed therefrom.

Said sale and transfer of buildings subject, however, to the further condition that if the City of Chicago shall elect to purchase of this corporation the Liberal Arts and Manufactures Building, the title of said building may be transferred by this corporation to said City of Chicago, and such sale and transfer shall in no wise affect or impair this settlement; but if said city shall not elect to purchase said building within ..... months, then the title thereto shall pass to said South Park Commissioners." And,

Whereas, The President of the South Park Commissioners reports that in pursuance of the authority delegated to him at the last meeting of the Park Commissioners, the action of the Columbian Exposition is in accordance with the proposition which he submitted.

Therefore, Resolved, First, That the Park Commissioners assent to the resolution prepared by the Columbian authorities, and

Second, That the President of the South Park Commissioners and their attorney be instructed to prepare

the papers and take all steps necessary to complete the transaction.

AN ORDINANCE IN RELATION TO THE SETTLEMENT OF DIFFERENCES BETWEEN THE SOUTH PARK COMMISSIONERS AND THE WORLD'S COLUMBIAN EXPOSITION. [PASSED DECEMBER 29, 1893.]

Whereas, The South Park Commissioners, on the nineteenth day of September, 1890, passed an ordinance entitled "An ordinance to allow the use of Jackson Park and the Midway Plaisance for the purposes of the World's Columbian Exposition," which said ordinance provided for the use of Jackson Park and the Midway Plaisance for the purposes of the World's Columbian Exposition upon the terms and conditions set forth in said ordinance;

And whereas, Among the terms and conditions of said ordinance there was a provision that on the first day of January, 1894, the said Park and Plaisance should be restored to the possession of the South Park Commissioners, except such parts thereof as should be occupied by the buildings or other constructions of the said World's Columbian Exposition, but that the World's Columbian Exposition should have the right to remove all such buildings and constructions from said premises, provided that all such buildings and constructions which should be upon the north eighty-four acres of Jackson Park should be removed prior to the first day of May, 1894, and all the buildings and constructions upon the other portions of said park and upon said Midway Plaisance should be removed prior to the first day of May, 1895, and that all such buildings and constructions which should not be removed within

the times above limited should become the property of the South Park Commissioners;

And whereas, It was further provided in said ordinance that the use of said Jackson Park and said Midway Plaisance was granted upon the further condition that the said Park and Plaisance should be surrendered to the South Park Commissioners in as good a condition as they were at the time of the passage of said ordinance;

And whereas, Said ordinance also provided that the World's Columbian Exposition should file a bond in the penal sum of one hundred thousand dollars, to be approved by the South Park Commissioners, said bond to be conditioned for the faithful performance of all the terms and conditions in said ordinance prescribed, and also to indemnify and save harmless the South Park Commissioners against all damage on account of the use of said grounds for the purposes of said exposition, or the passage of said ordinance, and also that the World's Columbian Exposition should before the removal of any of its buildings or constructions placed upon Jackson Park or the said Midway Plaisance file with said South Park Commissioners an additional bond in the penal sum of one hundred thousand dollars with good and sufficient sureties conditioned in the same manner as the bond above mentioned.

And whereas, The exposition contemplated by said ordinance has been held upon the said Jackson Park and the Midway Plaisance, and the South Park Commissioners claim damages on account of the use thereof for such purpose, and the World's Columbian Exposition, in order to relieve itself from the obligations contained in said ordinance, have made a proposition

to pay to the South Park Commissioners the sum of two hundred thousand dollars, and to convey to the South Park Commissioners certain buildings, constructions and personal property now owned by the World's Columbian Exposition, in full settlement and discharge of its obligations of the said ordinance;

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS:

Section 1. That upon the payment to the South Park Commissioners of the sum of two hundred thousand dollars, and the conveyance to the South Park Commissioners of the buildings, constructions and personal property mentioned in the schedule hereto annexed, and the delivery to the South Park Commissioners of the possession of Jackson Park and Midway Plaisance and the said buildings, constructions and personal property, subject, however, to the terms and conditions hereinafter set forth, the World's Columbian Exposition shall be released from all its obligations under said original ordinance except as hereinafter mentioned, and its bond of one hundred thousand dollars filed with said Commissioners shall be delivered up and canceled.

Sec. 2. The sale and transfer of the Liberal Arts and Manufactures Building is upon the condition that if the City of Chicago shall elect to purchase of the World's Columbian Exposition the said building, the sale and transfer to the South Park Commissioners thereof shall become null and void, provided such election shall be made prior to the first day of May, 1894, and if the City of Chicago shall not elect to purchase said building prior to that date, then the title to the same in the South Park Commissioners shall become absolute.

Sec. 3. The sale and transfer of said buildings is upon the further condition that said buildings are to remain in control of and be at the risk of the World's Columbian Exposition until the exhibits or other property not belonging to the World's Columbian Exposition and for which the World's Columbian Exposition is responsible, are entirely removed from such buildings, each building, however, to be turned over to the South Park Commissioners as soon as such property is removed therefrom; but all such buildings must be vacated and turned over to the South Park Commissioners on or before the first day of May, 1895. And while said buildings shall remain in control of the World's Columbian Exposition, it shall indemnify and save harmless the South Park Commissioners from all liability for accidents therein and from all damages of all kinds on account of said buildings or the occupancy thereof.

Sec. 4. This ordinance is passed upon the express condition that all the buildings and constructions upon the north eighty-four acres of Jackson Park and upon the Midway Plaisance not conveyed to the South Park Commissioners shall be removed prior to the first day of May, 1894, and all such buildings and constructions which shall not be removed before that date shall become the property of the South Park Commissioners.

Sec. 5. The World's Columbian Exposition shall have the right to remove the water and gas pipes, electric wires and electric cables not included in the said schedule hereto annexed, all of such pipes, wires and cables to be removed in a careful and workmanlike manner, and all trenches and holes to be refilled and leveled, and all such water and gas pipes, wires and

cables as shall not be removed in the north eighty-four acres of Jackson Park and Midway Plaisance prior to the first day of May, 1894, and in the remaining portion of Jackson Park prior to the first day of May, 1895, shall become the property of the South Park Commissioners.

Schedule of buildings, constructions and personal property referred to in the foregoing ordinance.

Liberal Arts and Manufactures Building.
Agricultural Building.
Electricity Building.
Machinery Hall.
Mines and Mining Building.
Transportation Building.
Forestry Building.
Horticultural Building.
Fine Arts Building.
Administration Building.
Woman's Building.
Fisheries Building.
Terminal Station, Music Hall, Casino and Peristyle.
Anthropological Building.
Stock Pavilion.
Colonnade.
Dairy Building.
Choral Hall.
Shoe and Leather Building.
Stock Barns.
Service Buildings.
Sewerage Building, with engines, boilers and all other appurtenances.
Saw-mill.
Engine-houses.

Monastery or Convent of La Rabida.

Greenhouse, west of Horticultural Building.

Greenhouse, in south end of Jackson Park.

All bridges and all statuary on bridges.

Band-stands.

Piers.

Walks and roadways, and all brick now or formerly used in walks.

Statue of the Republic.

Three road rollers.

Grate bars in Horticultural Building.

All tools and implements appertaining to the water, sewage and landscape departments.

Arc light conductors.

Twelve hundred lamp posts.

Two hundred and ninety tons of pipe, 4-inch to 36-inch, in stock.

Forty-three tons of special fittings in stock.

Plumbers' materials and tools on hand.

Wrought iron pipe and fittings in stock.

Sewer pipe, man hole and catch basin covers in stock.

One thousand vases, together with all the palms or plants of any description used therein during the exposition.

Included in buildings are all constructions appertaining thereto which the Columbian Exposition is not required by contract to return to the owners.

AN ORDINANCE TO ALLOW THE USE OF WASHINGTON PARK FOR THE PURPOSES OF THE WORLD'S COLUMBIAN EXPOSITION. [PASSED SEPTEMBER 23, 1890.]

Whereas, The South Park Commissioners on the nineteenth day of September, A. D. 1890, passed an ordinance entitled "An ordinance to allow the use of Jackson Park and the Midway Plaisance for the purposes of the World's Columbian Exposition," which said ordinance was accepted by the World's Columbian Exposition, corporation, as in said ordinance provided;

And whereas, The National World's Columbian Commission subsequently has passed a resolution that the space needed for the said exposition and to make the same adequate and satisfactory to the Commission requires that Washington Park be added to the several plats of ground tendered to said Commission as a site for the said exposition; and that the addition of Washington Park may be made by the Chicago Directory and will be accepted by the said Commission with the understanding that only so much of said several plats as may be required for exposition purposes will be used;

And whereas, The Board of Directors of the World's Columbian Exposition have passed a resolution that in the opinion of said board the honor of Chicago and the necessities of the exposition alike require the adoption of Washington Park as an important part of the site for the World's Columbian Exposition:

BE IT ORDAINED:

Section 1. Permission and authority are hereby given to the World's Columbian Exposition, corporation, to use so much of Washington Park for the purposes of the World's Columbian Exposition as shall be

necessary for such purposes, except the portion thereof occupied by the barn, conservatory and needed places of the Park Administration, such use to be upon the terms and conditions hereinafter set forth.

Sec. 2. Said corporation, the World's Columbian Exposition, at any time after the acceptance of this ordinance and the approval of the first bond to be given by said corporation as hereinafter set forth, shall have the right to enter upon said Washington Park and take possession of such portions thereof as may be necessary in constructing the buildings and making other preparations for such exposition, and may make such use of said premises, except the portions thereof hereby retained by the said South Park Commissioners, as may be necessary for the purposes of said exposition;

Provided, however, That no change shall be made in the present roads and paths in said Washington Park, nor shall the present contours of the ground be altered nor any of the trees or shrubs in said park be interfered with.

Sec. 3. The said corporation, the World's Columbian Exposition, shall have the right to enclose Washington Park, except the portions thereof hereby retained, if such park shall be actually used as the location of buildings or other constructions, forming an integral and substantial part of the exposition; Provided, however, that the entrances to said park shall not be closed prior to the first day of October, 1892. Said corporation, the World's Columbian Exposition, may take all necessary measures to prevent the encroachment of persons and vehicles upon said portions of Washington Park as may be in actual use in the preparation for such exposition.

Sec. 4. Such parts of Washington Park as shall not be in actual use for the construction of buildings and other preparations for such exposition shall be under the care and supervision of and shall be maintained by the South Park Commissioners until the first day of October, 1892, but the South Park Commissioners shall not be responsible for the care, safety or maintenance of any buildings, work or construction of any kind or property of the World's Columbian Exposition, or any other persons, person or corporation upon said premises. Such parts of Washington Park as shall be in actual use by the World's Columbian Exposition shall be maintained by said corporation.

Sec. 5. On the first day of October, 1892, the South Park Commissioners shall turn over to the said corporation, the World's Columbian Exposition, the entire possession, control and management of such parts of Washington Park as shall have been prepared and enclosed for the purposes of said exposition, and thereafter and until the first day of January, 1894, the said corporation, the World's Columbian Exposition, shall have the full control of the same for the purposes of said exposition and shall make all rules and regulations in regard thereto, and shall at its own cost maintain the same in good condition, and the South Park Commissioners shall be at no expense in regard thereto.

Sec. 6. On the first day of January, 1894, such parts of said Washington Park as shall then be in the possession of the said World's Columbian Exposition, shall be restored to the possession of said South Park Commissioners, except such portions thereof as shall be actually occupied by the buildings or other constructions of the said World's Columbian Exposition, but

the said corporation, the World's Columbian Exposition, shall have the right to remove all such buildings and constructions from said premises, provided that all of such buildings shall be removed prior to the first day of May, 1894, and all such buildings and constructions which shall not be removed at that time shall become the property of the South Park Commissioners.

Sec. 7. The use of the portions of Washington Park hereinbefore mentioned is granted upon the further express condition that in case the World's Columbian Exposition shall determine to use a considerable portion thereof, for the purposes of said exposition in such a manner as shall require the enclosing of a considerable portion thereof, then and in that event the right to use the north eighty-four acres (84) of Jackson Park being the present fully improved portion thereof heretofore granted by the said ordinance passed on the nineteenth day of September, 1890, shall be abrogated. And, if the said World's Columbian Exposition shall enter upon the said improved portion of Jackson Park and take possession thereof for the purposes of said exposition, then the said corporation shall have no right to enclose any portion of Washington Park under the provisions of this ordinance. If the said corporation, the World's Columbian Exposition, shall enter upon Washington Park and take possession of any portion thereof for the purpose of preparing the same for the use of said exposition in such a manner as will require the enclosure of any portion of said park, then the permission and authority to use the said improved portion of Jackson Park, contained in the ordinance heretofore passed by the South Park Commissioners upon the said nineteenth day of September, 1890, shall

be entirely abrogated and all rights thereunder to the use of such improved portion thereof forfeited.

Sec. 8. The use of Washington Park is granted for the purposes of said exposition upon the further express condition that the said park, if used by said World's Columbian Exposition, shall be used during the periods above mentioned only for the purposes of said exposition and subject to the foregoing terms and conditions, and also upon the further express condition that the portions of said park so used shall be surrendered to the South Park Commissioners in as good a condition as they now are. An acceptance of this ordinance by the World's Columbian Exposition shall constitute on its part an agreement to fully comply with all the terms and conditions of this ordinance.

Sec. 9. This ordinance shall be accepted in writing by the said corporation, the World's Columbian Exposition, within twenty days after its passage, otherwise it shall be null and void. The said corporation, the World's Columbian Exposition, shall also file a bond in the penal sum of fifty thousand dollars ($50,000) to be approved by the South Park Commissioners, said bond to be conditioned for the faithful performance of all the terms and conditions herein prescribed and also to indemnify and save harmless the South Park Commissioners against all damages on account of the use of said grounds for the purposes of said exposition or the passage of this ordinance.

The said World's Columbian Exposition shall also, before the removal of any of its buildings or constructions placed upon said Washington Park file with said South Park Commissioners an additional bond in the penal sum of fifty thousand dollars ($50,000) with good

and sufficient sureties, conditioned for the faithful performance of all the terms and conditions herein prescribed, and also to indemnify and save harmless the South Park Commissioners against all damages on account of the use of said grounds for the purposes of said exposition or the passage of this ordinance.

COMMUNICATION FROM THE WORLD'S COLUMBIAN EXPOSITION. [READ JANUARY 23, 1893.]

"Extract from the minutes of the Executive Committee of the World's Columbian Exposition, held January, 4th, 1893.

Resolved, That the Secretary be instructed and directed to transmit a copy of the action of the executive committee of October 6th, 1892, relative to an encampment of troops in Washington Park, to the Board of South Park Commissioners and to state to said board that it is the sense of the executive committee that this corporation has no claim upon Washington Park for the uses of the exposition, and does not and will not assert any claim thereto.

I hereby certify that the above is a true and correct copy of an extract from the minutes of the executive committee of the World's Columbian Exposition, held January 4th, 1893, and that I am the lawful custodian of the records of said committee.

Witness my hand and the seal of the corporation this 20th day of January, A. D. 1893.

(Seal.)

(Signed) H. O. EDMONDS, Secretary.

AN ORDINANCE REPEALING AN ORDINANCE ENTITLED "AN ORDINANCE TO ALLOW THE USE OF WASHINGTON PARK FOR THE PURPOSES OF THE WORLD'S COLUMBIAN EXPOSITION. [PASSED JANUARY 23, 1893.]

BE IT ORDAINED BY THE SOUTH PARK COMMISSIONERS.

Section 1. That the ordinance entitled "An ordinance to allow the use of Washington Park for the purposes of the World's Columbian Exposition," passed September 23d, 1890, be and the same is hereby repealed.

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